

2. This action is a personal injury case arising from an incident that occurred on June 21, 2018, while Plaintiff was installing HVAC units at 12401 N. Stemmons Freeway, Suite 100, Farmers Branch, Dallas County, Texas.

II. BASIS FOR REMOVAL

3. Removal is proper based on diversity of citizenship, because the amount in controversy in this case exceeds the sum or value of \$75,000, exclusive of interest and costs, and complete diversity of citizenship exists. 28 U.S.C. § 1332(a).

A. Amount in Controversy is Greater than \$75,000

4. In his Original Petition, Plaintiff specifies that “he seeks monetary relief of over \$200,000 but not more than \$1,000,000.” *See* Ex. 3, Plaintiff’s Original Petition and Request for Disclosures, p. 1.

5. Therefore, the amount in controversy in this case exceeds the sum of \$75,000. *See* 28 U.S.C. § 1332(a) and 28 U.S.C. § 1446(c)(2).

B. Complete Diversity Exists between the Parties

6. In his Original Petition, the Plaintiff identifies himself as “an Individual residing in Texas.” *See* Ex. 3, Plaintiff’s Original Petition and Request for Disclosures, p. 2. Additionally, upon information and belief, Plaintiff has resided in Texas for many years and maintains a Texas driver’s license. For these reasons, Plaintiff is a citizen of Texas.

7. Defendant Amazon.com Services, Inc. was a Delaware corporation with its principal place of business in Washington, and therefore was a citizen of Delaware and Washington. Amazon.com Services, Inc. was, however, recently converted to Amazon.com Services, LLC. For diversity purposes, citizenship of a limited liability

company is “determined by the citizenship of all of its members.” *Harvey v. Grey Wolf Drilling Co.*, 542 F.3d 1077, 1080 (5th Cir. 2008). The sole member of Amazon.com Services, LLC is Amazon.com Sales, Inc. Amazon.com Sales, Inc. was incorporated in Delaware and has its principal place of business in Washington. Amazon.com Sales, Inc. is, therefore, a citizen of both Delaware and Washington. Defendant is not a citizen of Texas.

8. Defendant Amazon.com.kydc LLC merged into Amazon.com Services, Inc., which recently converted to Amazon.com Services, LLC. As discussed above, the sole member of Amazon.com Services, LLC is Amazon.com Sales, Inc. Amazon.com Sales, Inc. was incorporated in Delaware and has its principal place of business in Washington. Amazon.com Sales, Inc. is, therefore, a citizen of both Delaware and Washington. Defendant is not a citizen of Texas.

9. Defendants Amazon, Amazon.com, Amazon Flex, and Amazon KYDC Flex are not incorporated entities, but are assumed names utilized by Amazon.com Services, LLC, or by entities that merged into Amazon.com Services, Inc. and converted into Amazon.com Services, LLC. Under Section 1441, “the citizenship of defendants sued under fictitious names shall be disregarded” when evaluating diversity of citizenship. 28 U.S.C. § 1441(b)(1). Therefore, the citizenship of these fictitious entities is irrelevant to the determination of whether complete diversity exists in this case. Alternatively, as discussed above, the sole member of Amazon.com Services, LLC is Amazon.com Sales, Inc. Amazon.com Sales, Inc. was incorporated in Delaware and has its principal place of business in Washington. Amazon.com Sales, Inc. is, therefore, a citizen of both Delaware and Washington, and Amazon, Amazon.com, Amazon Flex, and Amazon KYDC Flex are not citizens of Texas.

10. Defendant Amazon, Inc. is a Nevada corporation with its principal place of business in Washington. A corporation is deemed to be a citizen of each state in which it is incorporated and of each state where it has its principal place of business. 28 U.S.C. § 1332(c)(1). Therefore, Amazon, Inc. is a citizen of Nevada and Washington. Defendant is not a citizen of Texas.

11. The sole member of Elite Air, LLC is Martin J. Joyce, who is domiciled in Ohio; therefore, Defendant Elite Air, LLC is a citizen of Ohio. Elite Air, LLC is not a citizen of Texas.

12. The only members of Travisano Construction, LLC are Jacqueline Travisano, Peter Travisano, and Steven T. Richards. Each of these individuals is domiciled in Florida; therefore, Defendant Travisano Construction, LLC is a citizen of Florida. Travisano Construction, LLC is not a citizen of Texas.

13. Because Plaintiff is a citizen of Texas, and none of the Defendants are citizens of Texas, complete diversity of citizenship exists, and removal is proper.

III.

COMPLIANCE WITH REMOVAL PROCEDURES

A. Venue of Removed Action

14. This Notice of Removal is properly filed in the United States District Court for the Northern District of Texas, Dallas Division, under 28 U.S.C. § 1441(a), because the 191st Judicial District Court of Dallas County, Texas, is located in this district and division.

B. Service of Complaint

15. This Notice of Removal has been filed within the 30-day time period required by 28 U.S.C. § 1446(b). All Defendants were served on June 25, 2020, June 26,

2020, or June 29, 2020. *See* Ex. (3). This Notice of Removal has been filed within 30 days from the earliest of these service dates – June 25, 2020.

C. Consent, Notice to Other Parties and Notice to State Court

16. All properly joined and served defendants consent to the removal of this action as required under 28 U.S.C. § 1446(b)(2)(A).

17. Written notice of the filing of this Notice of Removal has been given to all adverse parties in accordance with 28 U.S.C. § 1446(d), and is noted in the Certificate of Service attached hereto.

18. Further, Amazon Defendants will promptly give written notice and file a copy of this Notice of Removal with the clerk of the Dallas County Court and on all counsel of record pursuant to 28 U.S.C. § 1446(d).

D. Pleadings in the State Court Action

19. In accordance with 28 U.S.C. § 1446(a) and Local Rule 81.1, attached to this Notice of Removal are:

- (1) An index of all documents filed in the state court;
- (2) The state court docket sheet;
- (3) A copy of each document filed in the state court; and
- (4) A separately signed Certificate of Interested Persons.

20. Amazon Defendants filed an Original Answer in the state court action. A true and accurate copy of this answer is included with Exhibit 3, which is incorporated herein by reference.

21. Additionally, this Notice of Removal is accompanied by a Civil Cover Sheet and a Supplemental Civil Cover Sheet as required under Local Rule 81.1.

IV. PRAYER

For these reasons, diversity jurisdiction under 28 U.S.C. § 1332(a) exists, and removal to the United States District Court for the Northern District of Texas, Dallas Division, is proper under 28 U.S.C. § 1441(b).

Respectfully Submitted,

THE BASSETT FIRM

/s/ Mike H. Bassett

MIKE H. BASSETT

SBN: 01890500

ROBERT L. MCGEE, JR.

SBN: 13620720

Two Turtle Creek Village

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(214) 219-9900 Telephone

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efile@thebassettfirm.com

**ATTORNEY FOR AMAZON
DEFENDANTS**

CERTIFICATE OF SERVICE

I certify that a true copy of this document was forwarded to the following counsel of record on this 20th day of July, 2020, pursuant to the Texas Rules of Civil Procedure and the Federal Rules of Civil Procedure:

Via eFile Texas eServe

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Mr. Stewart D. Matthews
1905 W. Ennis Avenue, Suite 506
Ennis, Texas 75119
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Facsimile: (214) 206-9991
attorney@accidentlawyer.legal

/s/ Mike H. Bassett

MIKE H. BASSETT
ROBERT L. MCGEE, JR.

EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

MICHAEL SCOTT,

Plaintiff,

VS.

AMAZON, AMAZON.COM,
AMAZON, INC., AMAZON FLEX,
AMAZON KYDC FLEX,
AMAZON.COM.KYDC, LLC,
AMAZON.COM SERVICES, INC.,
AMAZON.COM SERVICES, LLC,
ELITE AIR, LLC, and TRAVISANO
CONSTRUCTION, LLC,

Defendants

CIVIL ACTION NO. _____

INDEX OF ALL DOCUMENTS FILED IN STATE COURT

1. Plaintiff's Original Petition;
2. Jury Demand;
3. Request for Service;
4. Citation – Amazon;
5. Citation – Amazon.com;
6. Citation – Amazon Inc.;
7. Citation – Amazon Flex;
8. Citation – Amazon KYDC Flex;
9. Citation – Elite Air LLC;
10. Citation – Travisano Construction LLC;

11. Return – Travisano Construction LLC;
12. Return – Elite Air LLC;
13. Return – Amazon Inc.;
14. Citation – Amazon.com Services Inc.;
15. Citation – Amazon.com Services LLC;
16. Citation – Amazon.com.kydc LLC;
17. Return – Amazon.com.kydc LLC;
18. Return – Amazon.com Services Inc.;
19. Return – Amazon.com Services LLC;
20. Return – Amazon;
21. Return – Amazon.com;
22. Return – Amazon Flex;
23. Return – Amazon KYDC Flex;
24. Defendant Amazon's Original Answer; and
25. Defendant Travisano Construction's Original Answer.

EXHIBIT 2

Case Information

DC-20-08491 | MICHAEL SCOTT vs. AMAZON, et al

Case Number

DC-20-08491

File Date

06/19/2020

Court

191st District Court

Case Type

OTHER PERSONAL INJURY

Judicial Officer

SLAUGHTER, GENA

Case Status

OPEN

Party

PLAINTIFF

SCOTT, MICHAEL

Active Attorneys ▼

Lead Attorney

JOHNSON, WM RANDELL

Retained

DEFENDANT

AMAZON

Address

12401 N STEMMONS FREEWAY SUITE 100

FARMERS BRANCH TX 75234

Active Attorneys ▼

Lead Attorney

MCGEE, ROBERT L, Jr.

Retained

DEFENDANT

AMAZON.COM

Address

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FARMERS BRANCH TX 75234

Active Attorneys ▼

Lead Attorney

MCGEE, ROBERT L, Jr.

Retained

DEFENDANT

AMAZON, INC.

Address

Active Attorneys ▼

Lead Attorney

MCGEE, ROBERT L, Jr.

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Lead Attorney
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Active Attorneys ▼
Lead Attorney
MCGEE, ROBERT L, Jr.
Retained

DEFENDANT
AMZON.COM.KYDC,LLC

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AUSTIN TX 78701

Active Attorneys ▼
Lead Attorney
MCGEE, ROBERT L, Jr.
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Lead Attorney
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AUSTIN TX 78701

Active Attorneys ▼
Lead Attorney
MCGEE, ROBERT L, Jr.
Retained

DEFENDANT
ELITE AIR, LLC

Address

REGISTERED AGENT EILEEN M JOYCE ESQ
2500 BROOKPARK ROAD
CLEAVELAND OH 44134

DEFENDANT
TRAVISANO CONSTRUCTION, LLC

Address
REGISTERED AGENT BUSINESS FILINGS INCORPORATED
701 BRAZOS STREET SUITE 720
AUSTIN TX 78701

Active Attorneys ▼
Lead Attorney
KNOTT, DANIEL ALDEN
Retained

Events and Hearings

06/19/2020 NEW CASE FILED (OCA) - CIVIL

06/19/2020 ORIGINAL PETITION ▼

ORIGINAL PETITION

06/19/2020 ISSUE CITATION ▼

ISSUE CITATION- AMAZON

ISSUE CITATION- AMAZON.COM

ISSUE CITATION- AMAZON INC.

ISSUE CITATION- AMAZON FLEX

ISSUE CITATION- AMAZON KYDC FLEX

ISSUE CITATION- ELITE AIR LLC

ISSUE CITATION- TRAVISANO CONSTRUCTION LLC

06/19/2020 JURY DEMAND ▼

JURY DEMAND FORM

06/19/2020 REQUEST FOR SERVICE ▼

REQUEST

Served

06/29/2020

Anticipated Server

CERTIFIED MAIL

Anticipated Method

Actual Server

CERTIFIED MAIL

Returned

07/01/2020

Comment

AMAZON 9214 8901 0661 5400 0152 0654 89

06/22/2020 CITATION ▼

Served

06/29/2020

Anticipated Server

CERTIFIED MAIL

Anticipated Method

Actual Server

CERTIFIED MAIL

Returned

07/01/2020

Comment

AMAZON.COM 9214 8901 0661 5400 0152 0655 40

06/22/2020 CITATION ▼

Served

06/25/2020

Anticipated Server

CERTIFIED MAIL

Anticipated Method

Actual Server

CERTIFIED MAIL

Returned

06/29/2020

Comment

AMAZON INC. 9214 8901 0661 5400 0152 0655 71

06/22/2020 CITATION ▼

Served

06/29/2020

Anticipated Server

CERTIFIED MAIL

Anticipated Method

Actual Server

CERTIFIED MAIL

Returned

07/01/2020

Comment

AMAZON FLEX 9214 8901 0661 5400 0152 0656 32

06/22/2020 CITATION ▼

Served

06/29/2020

Anticipated Server

CERTIFIED MAIL

Anticipated Method

Actual Server

CERTIFIED MAIL

Returned

07/01/2020

Comment

AMAZON KYDC FLEX 9214 8901 0661 5400 0152 0657 48

06/23/2020 CITATION ▼

Served

06/26/2020

Anticipated Server

CERTIFIED MAIL

Anticipated Method

Actual Server

CERTIFIED MAIL

Returned

06/29/2020

Comment

AMAZON.COM.KYDC LLC 9214 8901 0661 5400 0152 0733 78

06/23/2020 CITATION ▼

Unserved

Anticipated Server

CERTIFIED MAIL

Anticipated Method

Served

06/26/2020

Anticipated Server

CERTIFIED MAIL

Anticipated Method

Actual Server

CERTIFIED MAIL

Returned

06/29/2020

Comment

AMAZON.COM SERVICES INC 9214 8901 0661 5400 0152 0734 22

06/23/2020 CITATION ▼

Served

06/26/2020

Anticipated Server

CERTIFIED MAIL

Anticipated Method

Actual Server

CERTIFIED MAIL

Returned

06/29/2020

Comment

AMAZON.COM SERVICES LLC 9214 8901 0661 5400 0152 0734 91

06/23/2020 CITATION ▼

Served

06/26/2020

Anticipated Server

CERTIFIED MAIL

Anticipated Method

Actual Server

CERTIFIED MAIL

Returned

06/29/2020

Comment

ELITE AIR LLC 9214 8901 0661 5400 0152 0736 68

06/23/2020 CITATION ▼

Served

06/26/2020

Anticipated Server

CERTIFIED MAIL

Anticipated Method

Actual Server

CERTIFIED MAIL

Returned

06/29/2020

Comment

TRAVISANO CONSTRUCTION LLC 9214 8901 0661 5400 0152 0737 74

06/29/2020 RETURN OF SERVICE ▼

RETURN OF SERVICE- TRAVISANO CONSTRUCTION LLC
Comment EXECUTED- CITATION- TRAVISANO CONSTRUCTION LLC
06/29/2020 RETURN OF SERVICE ▼
RETURN OF SERVICE- ELITE AIR LLC
Comment EXECUTED- CITATION- ELITE AIR LLC
06/29/2020 RETURN OF SERVICE ▼
RETURN OF SERVICE- AMAZON.COM SERVICES LLC
Comment EXECUTED- CITATION- AMAZON.COM SERVICES LLC
06/29/2020 RETURN OF SERVICE ▼
RETURN OF SERVICE- AMAZON.COM SERVICES INC
Comment EXECUTED- CITATION- AMAZON.COM SERVICES INC
06/29/2020 RETURN OF SERVICE ▼
RETURN OF SERVICE- AMAZON.COM.KYDC LLC
Comment EXECUTED- AMAZON.COM.KYDC LLC
06/29/2020 RETURN OF SERVICE ▼
RETURN OF SERVICE- AMAZON INC.
Comment EXECUTED- AMAZON INC.
07/01/2020 RETURN OF SERVICE ▼
RETURN OF SERVICE- AMAZON
Comment EXECUTED- CITATION- AMAZON
07/01/2020 RETURN OF SERVICE ▼
RETURN OF SERVICE-AMAZON.COM
Comment EXECUTED- CITATION- AMAZON.COM
07/01/2020 RETURN OF SERVICE ▼

RETURN OF SERVICE- AMAZON FLEX

Comment

EXECUTED- CITATION- AMAZON FLEX

07/01/2020 RETURN OF SERVICE ▼

RETURN OF SERVICE- AMAZON KYDC FLEX

Comment

EXECUTED- CITATION- AMAZON KYDC FLEX

07/14/2020 ORIGINAL ANSWER - GENERAL DENIAL ▼

ORIGINAL ANSWER - AMAZON.COM

07/15/2020 ORIGINAL ANSWER - GENERAL DENIAL ▼

ORIGINAL ANSWER

Financial

SCOTT, MICHAEL

Total Financial Assessment

\$1,262.00

Total Payments and Credits

\$1,262.00

6/19/2020 Transaction Assessment

\$1,262.00

6/19/2020 CREDIT CARD - TEXFILE
(DC)Receipt # 35944-2020-
DCLKSCOTT,
MICHAEL

(\$1,262.00)

Documents

ORIGINAL PETITION

JURY DEMAND FORM

REQUEST

ISSUE CITATION- AMAZON

ISSUE CITATION- AMAZON.COM

ISSUE CITATION- AMAZON INC.

ISSUE CITATION- AMAZON FLEX

ISSUE CITATION- AMAZON KYDC FLEX

ISSUE CITATION- ELITE AIR LLC

ISSUE CITATION- TRAVISANO CONSTRUCTION LLC

RETURN OF SERVICE-TRAVISAO CONSTRUCTION LLC

RETURN OF SERVICE- ELITE AIR LLC

RETURN OF SERVICE- AMAZON INC.

Copy of ISSUE CITATION- AMAZON.COM SERVICES INC

Copy of ISSUE CITATION- AMAZON.COM SERVICES LLC

Copy of ISSUE CITATION- AMAZON.COM..KYDC LLC

RETURN OF SERVICE- AMAZON.COM.KYDC LLC

RETURN OF SERVICE- AMAZON.COM SERVICES INC

RETURN OF SERVICE- AMAZON.COM SERVICES LLC

RETURN OF SERVICE- AMAZON

RETURN OF SERVICE-AMAZON.COM

RETURN OF SERVICE- AMAZON FLEX

RETURN OF SERVICE- AMAZON KYDC FLEX

ORIGINAL ANSWER - AMAZON.COM

ORIGINAL ANSWER

EXHIBIT 3

DALLAS COUNTY, TEXAS

II. DISCOVERY CONTROL PLAN LEVEL

Discovery is intended to be conducted under Level Three pursuant to the applicable provision(s) of the Texas Rules of Civil Procedure.

III. PARTIES AND SERVICE

Plaintiff **MICHAEL SCOTT** is an Individual residing in Texas. Pursuant to TEX. CIV. REM. & PRAC. CODE, §30.014(a), the last three numbers of Plaintiff's driver's license and Social Security numbers are 083 and 523, respectively.

"**AMAZON**," "**AMAZON.COM**," "**AMAZON, INC.**," "**AMAZON FLEX**," and "**AMAZON KYDC FLEX**," hereinafter referred to collectively as **AMAZON** unless otherwise indicated by context, are each an assumed or common name under which a partnership, unincorporated association, private corporation, limited liability company, or individual was/is doing business at, on and/or in connection with Amazon's Dallas area Distribution Center at 12401 N. Stemmons Freeway, Suite 100, Farmers Branch, Texas in or about June 2018.¹ Defendant **AMAZON** is hereby sued in its assumed or common names pursuant to the provisions of Rule 28 of the Texas Rules of Civil Procedure and may be served with process by and through their manager/distribution center at 12401 N. Stemmons Freeway, Suite 100, Farmers Branch, Texas. Service of said Defendant can be effected by personal service and/or via certified mail, return receipt requested.²

¹Dallas County Appraisal District Records show that this property was at the time owned by AMAZON.COM.KYDC, LLC d/b/a AMAZON FLEX and that the property is currently owned by AMAZON.COM SERVICES, INC. d/b/a AMAZON KYDC FLEX. Records on file with the Texas Secretary of State reflect that AMAZON.COM.KYDC, LLC merged with and into AMAZON.COM SERVICES, INC. and that the latter was the parent company of AMAZON.COM.KYDC, LLC at the time of Plaintiff SCOTT's injury on or about June 21, 2018. AMAZON.COM SERVICES, INC., subsequently merged with and/or converted to AMAZON.COM SERVICES, LLC.

²AMAZON, as used herein individually and collectively, refers to and includes all partnerships, unincorporated associations, private corporations, limited liability companies and/or individuals operating under said assumed name and/or a similar assumed name (including but not limited to "AMAZON," "AMAZON.COM," "AMAZON, INC.," "AMAZON FLEX," and "AMAZON KYDC FLEX,") who leased, maintained, operated, owned, provided, supervised and/or otherwise exercised control and/or direction over Amazon's Dallas area Distribution Center at 12401 N. Stemmons Freeway, Suite 100, Farmers Branch, Texas in or about June 2018 and/or the project/location on/at which Plaintiff SCOTT was injured on or about June 21, 2018.

AMAZON.COM.KYDC, LLC, is a foreign limited liability company doing business in Texas and may be served with process by and through its registered agent for service, Corporation Service Company dba CSC - Lawyers Incorporating Service Company 211 E. 7th Street, Suite 620 Austin, TX 78701-3218 USA and/or its Governing Person/President, Michael D. Deal, at 410 Terry Avenue North, Seattle, WA 98109. Service of said Defendant can be effected personally and/or by certified mail, return receipt requested.

AMAZON.COM SERVICES, INC., is a foreign for-profit corporation doing business in Texas and may be served with process by and through its registered agent for service, Corporation Service Company dba CSC - Lawyers Incorporating Service Company 211 E. 7th Street, Suite 620 Austin, TX 78701-3218 USA and/or its Governing Person/President, Michael D. Deal, at 410 Terry Avenue North, Seattle, WA 98109. Service of said Defendant can be effected personally and/or by certified mail, return receipt requested.

AMAZON.COM SERVICES LLC is a limited liability company doing business in Texas and may be served with process by and through its registered agent for service, Corporation Service Company dba CSC - Lawyers Incorporating Service Company 211 E. 7th Street, Suite 620, Austin, TX 78701-3218 USA and/or its Governing Person/President, Michael D. Deal, at 410 Terry Avenue North, Seattle, WA 98109. Service of said Defendant can be effected personally and/or by certified mail, return receipt requested.

ELITE AIR, LLC, is a foreign limited liability company doing business in Texas and may be served with process by and through its registered agent for service, Eileen M. Joyce, Esq., at 2500 Brookpark Road, Cleveland, Ohio 44134 and/or its CEO/President/Governing Person, Martin J. Joyce, at 6779 Engle Road, suite C, Middleburg Heights, Ohio 44130. Service of said Defendant can be effected personally and/or by certified mail, return receipt requested.

TRAVISANO CONSTRUCTION, LLC is a foreign limited liability company doing

business in Texas and may be served with process by and through its registered agent for service, Business Filings Incorporated, 701 Brazos Street, Suite 720, Austin, TX 78701 USA, and/or any of the following Governing Persons, Peter Travisano, Steven T Richards and/or Jacqueline Travisano, at 10817 Garden Ridge Ct., Davie, FL 33328. Service of said Defendant can be effected personally and/or by certified mail, return receipt requested.

IV. JURISDICTION AND VENUE

The subject matter in controversy is within the jurisdictional limits of this court.

This court has jurisdiction over the parties because Defendants owned, leased and/or controlled property in Dallas County, Texas and/or were otherwise doing business in Texas at all pertinent times material to this cause of action.

Venue in Dallas County is proper in this cause under Section 15.002(a)(1) of the Texas Civil Practice and Remedies Code because all or a substantial part of the events or omissions giving rise to this lawsuit occurred in Dallas County, Texas.

V. ACTS OF AGENTS

Whenever in this petition it is alleged that Defendants did any act, it is meant that:

- A. Defendants performed or participated in the act,
- B. Defendants condoned or ratified the act,
- C. Defendants' agents, employees, officers, trustees and/or other representatives performed or participated in the act on behalf of and under the authority of the Defendants, and/or
- D. Defendants' agents, employees, officers, trustees and/or other representatives condoned or ratified the act on behalf of and/or under the authority of the Defendants.

For purposes of the preceding paragraph, agents, employees, officers, trustees and/or other representatives of Defendants include any and all such persons and/or affiliated entities acting for, by and/or on behalf of Defendants in their assumed or former names.

VI. FACTS

The claim injury made the basis of this lawsuit occurred on or about June 21, 2018 at, on and/or in connection with and HVAC installation for Amazon's Dallas area Distribution Center at 12401 N. Stemmons Freeway, Suite 100, Farmers Branch, Texas County, Texas.

In June of 2018, Garland Heat & Air was retained through Defendants ELITE and/or TRAVISANO to install "owner-provided" 25-ton package A/C units, along with associated equipment and lined sheet-metal ductwork, at AMAZON Defendants' Dallas area Distribution Center at 12401 N. Stemmons Freeway, Suite 100, Farmers Branch, Texas.

Defendants ELITE and/or TRAVISANO reportedly contracted with one or more of the AMAZON Defendants and/or their affiliate(s) to provide HVAC installations at this location and other locations in Texas during the period in question and brought in GHAC on at least three of these jobs. Plaintiff is an HVAC installer and was engaged by GHAC to provide installation services at the AMAZON Defendants' distribution facility.³

Plaintiff, while providing said services on June 21, 2018, sustained severe and disabling injuries when a cable he was holding became entangled in a large ventilation fan and was jerked out of his hands, amputating multiple digits and disfiguring both hands. Plaintiff had previously made requests to Defendants to turn off the ventilation fan but they refused to turn off the fan in the area where he was working because it would have required other fans at the facility to be turned off, something Defendants were not willing to do.

At all times material to this lawsuit, Defendants, either individually and/or together, at the time of Plaintiff's amputation injuries, leased, maintained, operated, owned, provided, supervised and/or otherwise exercised control and/or direction over the AMAZON Defendants' Dallas area Distribution Center in or about June 2018, the ventilation fans involved in and at the time of the

³ Although GHAC claimed that Plaintiff was an independent contractor, the Texas Department of Insurance, Division of Workers' Compensation determined that Plaintiff was GHAC's employee for purposes of workers' compensation and thus, was a "covered employee" under their Texas workers' compensation policy.

claimed incident and/or the project on which Plaintiff was injured on or about June 21, 2018, and/or were otherwise responsible for the ventilation fan being on and in operation at the time of Plaintiff's amputation injuries and/or failed to take reasonable action to turn off or disable the fan or to otherwise make the area safe for purposes of the work being performed by Plaintiff at the time of the claimed incident.

Furthermore, some or all of the Defendants, as relates to project on which Plaintiff was injured and/or the location where his injury occurred, were, have been and/or are engaged in a common scheme or joint enterprise and/or are alter egos of each other and/or are otherwise individually and jointly liable for the injuries and damages made the basis of this lawsuit and which occurred as a result of the negligent acts and/or omissions of one or more of the Defendants and/or their agents, employees or representatives. Plaintiff's injuries and the damages herein sought by him were proximately caused, in whole and/or in part, by Defendants' negligent acts and/or omissions, either individually and/or together, and have resulted in the permanent disfigurement, impairment and/or loss of use of Plaintiff's hands for which he seeks recovery of personal injury damages from Defendants, individually and/or collectively.

VII. PLAINTIFF'S CLAIM OF NEGLIGENCE

Defendants had a duty to exercise the degree of care that a reasonably careful person would use to avoid harm to others under circumstances similar to those described herein. Without limiting the breadth or scope of the foregoing averment, and pleading in the alternative, Defendants also had a duty to make the premises safe when Plaintiff's use of and/or exposure to a dangerous condition was necessary and it was foreseeable that Plaintiff, despite his awareness of the risk, could not afford the risk, as well as the duty to use ordinary care to ensure that the use of the ventilation fan did not unreasonably increase the probability of injury when Defendants retained control over the fan and the area in which Plaintiff was working at the time of the claimed incident and/or a duty use ordinary care not to injure wilfully, wantonly or through gross negligence.

Plaintiff's injuries were proximately caused by Defendants' negligent, careless and reckless disregard of said duties.

The negligent, careless and reckless disregard of duty of Defendants consisted of, but is not limited to, one or more of the following acts and omissions: failure to provide a reasonably safe workplace; failure to follow established procedures or protocol; failure to disable, guard or otherwise operate the ventilation fan in a reasonably safe manner; failure to provide proper safety equipment and/or otherwise necessary instrumentalities; failure to properly control, monitor, operate and/or supervise the location and area where the claimed incident occurred, the project and work that was being performed at said location and/or the ventilation fan and associated equipment or apparatus involved in the claimed incident; and/or the failure properly screen, employ, retain, train and/or supervise their agents, employees and/or representatives at said location and/or that were involved in the project and/or work being performed at said location.

Each of the above acts or omissions, singularly or in combination with each other, constituted negligence, and negligence per se, which proximately and directly caused Plaintiff's injuries and damages.

VIII. DAMAGES

As a direct and proximate result of the occurrence made the basis of this lawsuit, Plaintiff was caused to suffer bodily injuries, including amputation and/or disfigurement of multiple digits and portions of both hands, and to incur the following damages:

- A. Reasonable medical care and expenses in the past;
- B. Reasonable and necessary medical care and expenses which will in all reasonable probability be incurred in the future;
- C. Physical pain and suffering in the past;
- D. Physical pain and suffering in the future;
- E. Physical impairment and disfigurement in the past;

-
-
- F. Physical impairment and disfigurement which, in all reasonable probability, is permanent and/or will continue to be suffered long into the future;
 - G. Loss of earnings in the past;
 - H. Loss of earning capacity which will, in all probability, be incurred in the future;
 - I. Mental anguish in the past; and/or
 - J. Mental anguish in the future.

IX. EXEMPLARY DAMAGES

Pleading further in the alternative, and in the event it is shown that Defendants acted with malice and/or conscious disregard of risk of serious harm or injury to Plaintiff and/or others similarly situated to Plaintiff and/or were otherwise grossly negligent, Plaintiff would be entitled to and hereby seeks an award of exemplary damages as allowed by law.

X. DISCOVERY

Plaintiff requests that Defendants disclose the information required to be disclosed by Rule 194 of the Texas Rules of Civil Procedure by delivering said information to Plaintiff's attorney within 50 days of the date on which this petition is served on Defendants.

Plaintiff reserves the right to propound additional discovery and to allege additional claims and facts as may be appropriate based on future developments and/or as additional information is learned or revealed through discovery in this cause.

XI. PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully prays that the Defendants be cited to appear and answer herein, and that upon a final hearing of the cause, judgment be entered for the Plaintiff against Defendants for personal injury damages in an amount within the jurisdictional limits of the Court; exemplary damages as allowed by law; pre-judgment interest (from the date of injury through the date of judgment) at the maximum rate allowed by law;

post-judgment interest at the legal rate, costs of court; and such other and further relief to which the Plaintiff may be entitled at law or in equity.

Respectfully submitted,

**LAW OFFICE OF
WM. RANDELL JOHNSON**

P.O. BOX 260080
PLANO, TX 75026
VOICE: 972/769-7200
FAX: 972/758-9783

BY: /s/ *Wm. Randell Johnson*

WM. RANDELL JOHNSON
SBOT No. 10805450
wrjlaw@aol.com

-AND-

STEWART D. MATTHEWS

1905 W. ENNIS AVENUE, SUITE 506
ENNIS, TEXAS 75119
VOICE: 972/398-6666
FAX: 214/206-9991

BY: /s/ *Stewart D. Matthews*

STEWART D. MATTHEWS
SBOT No. 24039042
Attorney@accidentlawyer.legal

ATTORNEYS FOR PLAINTIFF

**PLAINTIFF REQUESTS TRIAL BY JURY
AND TENDERS HIS JURY FEE WITH THIS PETITION**

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

To: AMAZON
BY AND THROUGH THEIR MANAGER/DISTRIBUTION CENTER
12401 N. STEMMONS FREEWAY SUITE 100
FARMERS BRANCH TX 00000

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the **191st District Court** at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **MICHAEL SCOTT**

Filed in said Court **19th day of June, 2020** against

**AMAZON, AMAZON.COM, AMAZON INC., AMAZON FLEX, AMAZON KYDC FLEX,
AMAZON.COM.KYDC LLC, AMAZON.COM SERVICES INC., AMAZON.COM SERVICES
LLC, ELITE AIR LLC, TRAVISANO CONSTRUCTION LLC**

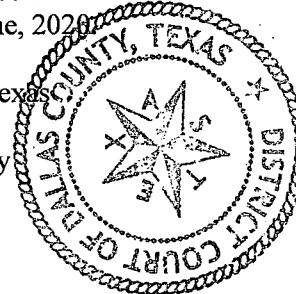
For Suit, said suit being numbered **DC-20-08491**, the nature of which demand is as follows:
Suit on **OTHER PERSONAL INJURY** etc. as shown on said petition **REQUEST FOR
DISCLOSURES**, a copy of which accompanies this citation. If this citation is not served, it shall be
returned unexecuted.

WITNESS: FELICIA PITRE, Clerk of the District Courts of Dallas, County Texas.

Given under my hand and the Seal of said Court at office this 22nd day of June, 2020

ATTEST: FELICIA PITRE, Clerk of the District Courts of Dallas, County, Texas

By _____, Deputy
TERESA JONES



CERTIFIED MAIL

CITATION

DC-20-08491

**MICHAEL SCOTT
vs.
AMAZON, et al**

**ISSUED THIS
22nd day of June, 2020**

**FELICIA PITRE
Clerk District Courts,
Dallas County, Texas**

By: TERESA JONES, Deputy

**Attorney for Plaintiff
WM RANDELL JOHNSON
LAW OFFICE OF WM RANDELL
JOHNSON
P O BOX 260080
PLANO TX 75026
972-769-7200**

**DALLAS COUNTY CONSTABLE
FEES PAID FEES NOT PAID**

OFFICER'S RETURN

Case No. : DC-20-08491

Court No. 191st District Court

Style: MICHAEL SCOTT

vs.

AMAZON, et al

Came to hand on the _____ day of _____, 20_____, at _____ o'clock _____ .M. Executed at _____,
within the County of _____ at _____ o'clock _____ .M. on the _____ day of _____,
20_____, by delivering to the within named

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by
me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation	\$ _____	_____
For mileage	\$ _____	of _____ County, _____
For Notary	\$ _____	By _____ Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20_____,
to certify which witness my hand and seal of office.

Notary Public _____ County _____

9214 8901 0661 5400 0152 0654 89

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

**To: AMAZON.COM
BY AND THROUGH THEIR MANAGER/DISTRIBUTION CENTER
12401 N. STEMMONS FREEWAY SUITE 100
FARMERS BRANCH TX 00000**

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the **191st District Court** at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **MICHAEL SCOTT**

Filed in said Court **19th day of June, 2020** against

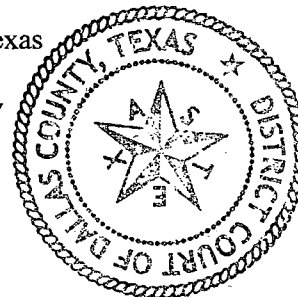
**AMAZON, AMAZON.COM, AMAZON INC., AMAZON FLEX, AMAZON KYDC FLEX,
AMAZON.COM.KYDC LLC, AMAZON.COM SERVICES INC., AMAZON.COM SERVICES
LLC, ELITE AIR LLC, TRAVISANO CONSTRUCTION LLC**

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ATTEST: FELICIA PITRE, Clerk of the District Courts of Dallas, County, Texas

By- _____, Deputy
TERESA JONES



CERTIFIED MAIL

CITATION

DC-20-08491

**MICHAEL SCOTT
vs.
AMAZON, et al**

**ISSUED THIS
22nd day of June, 2020**

**FELICIA PITRE
Clerk District Courts,
Dallas County, Texas**

By: TERESA JONES, Deputy

**Attorney for Plaintiff
WM RANDELL JOHNSON
LAW OFFICE OF WM RANDELL
JOHNSON
P O BOX 260080
PLANO TX 75026
972-769-7200**

DALLAS COUNTY CONSTABLE

**FEES
PAID**

**FEES NOT
PAID**

OFFICER'S RETURN

Case No. : DC-20-08491

Court No. 191st District Court

Style: MICHAEL SCOTT

vs.

AMAZON, et al

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to certify which witness my hand and seal of office.

Notary Public _____ County _____

9214 8901 0661 5400 0152 065540

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

To: **AMAZON INC.
BY AND THROUGH THEIR MANAGER/DISTRIBUTION CENTER
12401 N. STEMMONS FREEWAY SUITE 100
FARMERS BRANCH TX 00000**

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the **191st District Court** at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **MICHAEL SCOTT**

Filed in said Court **19th day of June, 2020** against

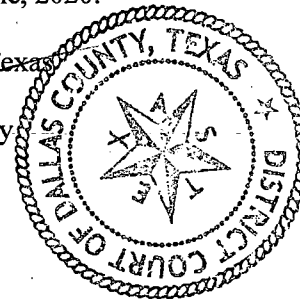
**AMAZON, AMAZON.COM, AMAZON INC., AMAZON FLEX, AMAZON KYDC FLEX,
AMAZON.COM.KYDC LLC, AMAZON.COM SERVICES INC., AMAZON.COM SERVICES
LLC, ELITE AIR LLC, TRAVISANO CONSTRUCTION LLC**

For Suit, said suit being numbered **DC-20-08491**, the nature of which demand is as follows:
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Given under my hand and the Seal of said Court at office this 22nd day of June, 2020.

ATTEST: **FELICIA PITRE**, Clerk of the District Courts of Dallas, County, Texas

By _____, Deputy
TERESA JONES



CERTIFIED MAIL

CITATION

DC-20-08491

MICHAEL SCOTT

vs.

AMAZON, et al

**ISSUED THIS
22nd day of June, 2020**

**FELICIA PITRE
Clerk District Courts,
Dallas County, Texas**

By: **TERESA JONES**, Deputy

**Attorney for Plaintiff
WM RANDELL JOHNSON
LAW OFFICE OF WM RANDELL
JOHNSON
P O BOX 260080
PLANO TX 75026
972-769-7200**

DALLAS COUNTY CONSTABLE
FEE PAID **FEE NOT PAID**

OFFICER'S RETURN

Case No. : DC-20-08491

Court No. 191st District Court

Style: MICHAEL SCOTT

vs.

AMAZON, et al

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Signed and sworn to by the said _____ before me this _____ day of _____, 20_____,
to certify which witness my hand and seal of office.

Notary Public _____ County _____

9214 8901 0661 5400 0152 0655 71

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

**To: AMAZON FLEX
BY AND THROUGH THEIR MANAGER/DISTRIBUTION CENTER
12401 N. STEMMONS FREEWAY SUITE 100
FARMERS BRANCH TX 00000**

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the **191st District Court** at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **MICHAEL SCOTT**

Filed in said Court **19th day of June, 2020** against

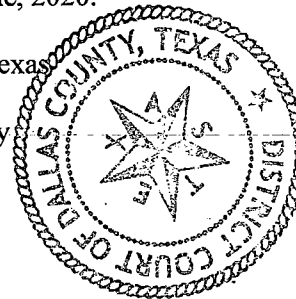
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AMAZON.COM.KYDC LLC, AMAZON.COM SERVICES INC., AMAZON.COM SERVICES
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ATTEST: FELICIA PITRE, Clerk of the District Courts of Dallas, County, Texas

By TERESA JONES, Deputy



CERTIFIED MAIL

CITATION

DC-20-08491

**MICHAEL SCOTT
vs.
AMAZON, et al**

**ISSUED THIS
22nd day of June, 2020**

**FELICIA PITRE
Clerk District Courts,
Dallas County, Texas**

By: TERESA JONES, Deputy

**Attorney for Plaintiff
WM RANDELL JOHNSON
LAW OFFICE OF WM RANDELL
JOHNSON
P O BOX 260080
PLANO TX 75026
972-769-7200**

**DALLAS COUNTY CONSTABLE
FEES PAID
FEES NOT PAID**

OFFICER'S RETURN

Case No. : DC-20-08491

Court No. 191st District Court

Style: MICHAEL, SCOTT

vs.

AMAZON, et al

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to certify which witness my hand and seal of office.

Notary Public _____ County _____

9214 8901 0661 5400 0152 065632

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

**To: AMAZON KYDC FLEX
BY AND THROUGH THEIR MANAGER/DISTRIBUTION CENTER
12401 N. STEMMONS FREEWAY SUITE 100
FARMERS BRANCH TX 00000**

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the **191st District Court** at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **MICHAEL SCOTT**

Filed in said Court **19th day of June, 2020** against

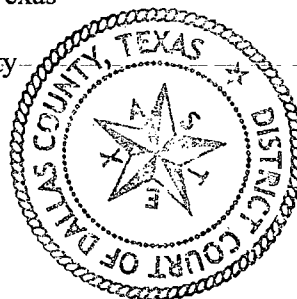
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AMAZON.COM.KYDC LLC, AMAZON.COM SERVICES INC., AMAZON.COM SERVICES
LLC, ELITE AIR LLC, TRAVISANO CONSTRUCTION LLC**

For Suit, said suit being numbered **DC-20-08491**, the nature of which demand is as follows:
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Given under my hand and the Seal of said Court at office this 22nd day of June, 2020.

ATTEST: FELICIA PITRE, Clerk of the District Courts of Dallas, County, Texas

By _____, Deputy
TERESA JONES



CERTIFIED MAIL

CITATION

DC-20-08491

**MICHAEL SCOTT
vs.
AMAZON, et al**

**ISSUED THIS
22nd day of June, 2020**

**FELICIA PITRE
Clerk District Courts,
Dallas County, Texas**

By: TERESA JONES, Deputy

**Attorney for Plaintiff
WM RANDELL JOHNSON
LAW OFFICE OF WM RANDELL
JOHNSON
P O BOX 260080
PLANO TX 75026
972-769-7200**

DALLAS COUNTY CONSTABLE
FEES PAID **FEES NOT PAID**

OFFICER'S RETURN

Case No. : DC-20-08491

Court No. 191st District Court

Style: MICHAEL SCOTT

vs.

AMAZON, et al

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to certify which witness my hand and seal of office.

Notary Public _____ County _____

9214 8901 0661 5400 0152 065748

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

To: ELITE AIR LLC
BY AND THROUGH ITS ATTORNEY JON HILL
SILBERMAN LAW FIRM PLLC
2060 NORTH LOOP WEST SUITE 220
HOUSTON TX 77018

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the **191st District Court** at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **MICHAEL SCOTT**

Filed in said Court **19th day of June, 2020** against

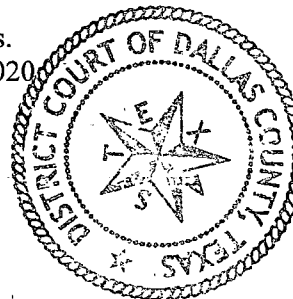
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AMAZON.COM.KYDC LLC, AMAZON.COM SERVICES INC., AMAZON.COM SERVICES
LLC, ELITE AIR LLC, TRAVISANO CONSTRUCTION LLC**

For Suit, said suit being numbered **DC-20-08491**, the nature of which demand is as follows:
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WITNESS: FELICIA PITRE, Clerk of the District Courts of Dallas, County Texas.
Given under my hand and the Seal of said Court at office this 23rd day of June, 2020

ATTEST: FELICIA PITRE, Clerk of the District Courts of Dallas, County, Texas

By _____, Deputy
TERESA JONES



CERTIFIED MAIL

CITATION

DC-20-08491

MICHAEL SCOTT

vs.

AMAZON, et al

**ISSUED THIS
23rd day of June, 2020**

**FELICIA PITRE
Clerk District Courts,
Dallas County, Texas**

By: TERESA JONES, Deputy

**Attorney for Plaintiff
WM RANDELL JOHNSON
LAW OFFICE OF WM RANDELL
JOHNSON
P O BOX 260080
PLANO TX 75026
972-769-7200**

DALLAS COUNTY CONSTABLE
FEE PAID **FEE NOT PAID**

OFFICER'S RETURN

Case No. : DC-20-08491

Court No. 191st District Court

Style: MICHAEL SCOTT

vs.

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to certify which witness my hand and seal of office.

Notary Public _____ County _____

9214 8901 0661 5400 0152 0736 68

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

**To: TRAVISANO CONSTRUCTION LLC
BY AND THROUGH ITS REGISTERED AGENT FOR SERVICE BUSINESS FILINGS
INCORPORATED
701 BRAZOS STREET SUITE 720
AUSTIN TX 78701**

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the **191st District Court** at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **MICHAEL SCOTT**

Filed in said Court **19th day of June, 2020** against

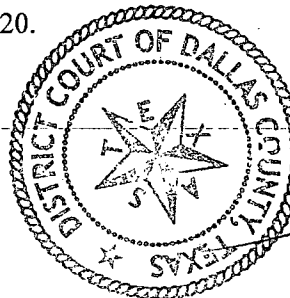
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Given under my hand and the Seal of said Court at office this 23rd day of June, 2020.

ATTEST: FELICIA PITRE, Clerk of the District Courts of Dallas, County, Texas

By _____, Deputy
TERESA JONES



DALLAS COUNTY CONSTABLE
FEES PAID **FEES NOT PAID**

CERTIFIED MAIL

CITATION

DC-20-08491

**MICHAEL SCOTT
vs.
AMAZON, et al**

**ISSUED THIS
23rd day of June, 2020**

**FELICIA PITRE
Clerk District Courts,
Dallas County, Texas**

By: TERESA JONES, Deputy

**Attorney for Plaintiff
WM RANDELL JOHNSON
LAW OFFICE OF WM RANDELL
JOHNSON
P O BOX 260080
PLANO TX 75026
972-769-7200**

OFFICER'S RETURN

Case No. : DC-20-08491

Court No. 191st District Court

Style: MICHAEL SCOTT

vs.

AMAZON, et al

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to certify which witness my hand and seal of office.

Notary Public _____ County _____

9214 8901 0661 5400 0152 0737 74



FELICIA PITRE
DALLAS COUNTY DISTRICT CLERK

NINA MOUNTIQUE
CHIEF DEPUTY

CAUSE NO. DC-20-08491

MICHAEL SCOTT

vs.

AMAZON, et al

191st District Court

ENTER DEMAND FOR JURY

JURY FEE PAID BY: MICHAEL SCOTT

FEE PAID: \$40

LAW OFFICES OF WM. RANDELL JOHNSON*

P. O. Box 26080

PLANO, TEXAS 75026

June 19, 2020

Dallas County District Clerk
Civil File Desk
George Allen Courts Building
600 Commerce Street, Suite 103
Dallas, Texas 75202

E-FILED

Re: Cause No.: DC-20-08491
Style: *Michael Scott v. Amazon, et al*

TO THE DISTRICT CLERK:

Please be advised we are requesting issuance of process and service of the Defendants in this cause by certified mail, return receipt requested, as follows:

Defendants **“AMAZON,” “AMAZON.COM,” “AMAZON, INC.,” “AMAZON FLEX,”** and **“AMAZON KYDC FLEX”** by and through their Manager/Distribution Center at 12401 N. Stemmons Freeway, Suite 100, Farmers Branch, Texas.

Defendant **AMAZON.COM.KYDC, LLC**, by and through its registered agent for service, Corporation Service Company dba CSC - Lawyers Incorporating Service Company 211 E. 7th Street, Suite 620, Austin, TX 78701-3218 USA,

Defendant **AMAZON.COM SERVICES, INC.** by and through its registered agent for service, Corporation Service Company dba CSC - Lawyers Incorporating Service Company 211 E. 7th Street, Suite 620, Austin, TX 78701-3218 USA.

Defendant **AMAZON.COM SERVICES LLC** by and through its registered agent for service, Corporation Service Company dba CSC - Lawyers Incorporating Service Company 211 E. 7th Street, Suite 620, Austin, TX 78701-3218 USA.

Defendant **ELITE AIR, LLC** by and through its attorney Jon Hill at Silberman Law Firm, PLLC, 2060 North Loop West, Suite 220, Houston, Texas 77018.

Voice: 972/769-7200

E-mail: wrjlaw@aol.com

Facsimile: 972/758-9783

**Board Certified in Civil Trial Law, Personal Injury Trial Law and Workers' Compensation Law
Texas Board of Legal Specialization*

Defendant **TRAVISANO CONSTRUCTION, LLC** by and through its registered agent for service, Business Filings Incorporated, 701 Brazos Street, Suite 720, Austin, TX 78701 USA.

The appropriate fees have been tendered via efilings at the time of filing of Plaintiff's Original Petition.

Thank you for your time, attention and assistance. Please do not hesitate to contact me if you have any questions regarding this correspondence or Mr. Scott's claim.

Sincerely,

/s/ Wm. Randell Johnson

Wm. Randell Johnson

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

**To: TRAVISANO CONSTRUCTION LLC
BY AND THROUGH ITS REGISTERED AGENT FOR SERVICE BUSINESS FILINGS
INCORPORATED
701 BRAZOS STREET SUITE 720
AUSTIN TX 78701**

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the **191st District Court** at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **MICHAEL SCOTT**

Filed in said Court **19th day of June, 2020** against

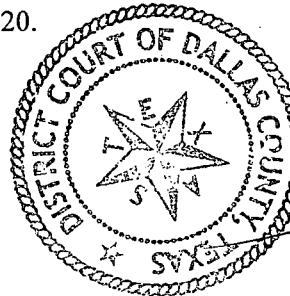
**AMAZON, AMAZON.COM, AMAZON INC., AMAZON FLEX, AMAZON KYDC FLEX,
AMAZON.COM.KYDC LLC, AMAZON.COM SERVICES INC., AMAZON.COM SERVICES
LLC, ELITE AIR LLC, TRAVISANO CONSTRUCTION LLC**

For Suit, said suit being numbered **DC-20-08491**, the nature of which demand is as follows:
Suit on **OTHER PERSONAL INJURY** etc. as shown on said petition **REQUEST FOR
DISCLOSURES**, a copy of which accompanies this citation. If this citation is not served, it shall be
returned unexecuted.

WITNESS: FELICIA PITRE, Clerk of the District Courts of Dallas, County Texas.
Given under my hand and the Seal of said Court at office this 23rd day of June, 2020.

ATTEST: FELICIA PITRE, Clerk of the District Courts of Dallas, County, Texas

By _____, Deputy
TERESA JONES



DALLAS COUNTY CONSTABLE
FEES PAID **FEES NOT PAID**

CERTIFIED MAIL

CITATION

DC-20-08491

**MICHAEL SCOTT
vs.
AMAZON, et al**

**ISSUED THIS
23rd day of June, 2020**

**FELICIA PITRE
Clerk District Courts,
Dallas County, Texas**

By: TERESA JONES, Deputy

**Attorney for Plaintiff
WM RANDELL JOHNSON
LAW OFFICE OF WM RANDELL
JOHNSON
P O BOX 260080
PLANO TX 75026
972-769-7200**

FILED

20 JUN 29 AM 8:19

FELICIA PITRE
DISTRICT CLERK
DALLAS CO. TEXAS
DEPUTY

OFFICER'S RETURN

Case No. : DC-20-08491

Court No. 191st District Court

Style: MICHAEL SCOTT

vs.

AMAZON, et al

Came to hand on the 23 day of June, 20 20, at 10 o'clock a.M. Executed at 701 Brazos

within the County of _____ at 10:38 o'clock a.M. on the 26 day of June

20 20, by cert mail delivering to the within named ~~the~~ Transisano Construction LLC by serving registered agent by business filings

via us cert mail return receipt received and attached hereto

and signed by Joshua Brown

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, was mailed us cert mail return receipt having first endorsed on same date of delivery. The distance actually traveled by request

me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation

\$ 76

For mileage

\$ _____

of _____

County.

For Notary

\$ _____

By [Signature]

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20 _____,

to certify which witness my hand and seal of office.

FELICIA PITRE
DISTRICT CLERK
600 COMMERCE STREET
DALLAS, TEXAS 75202-4606

Notary Public _____

County _____

9214 8901 0661 5400 0152 0737 74



June 26, 2020

Dear MAIL MAIL:

The following is in response to your request for proof of delivery on your item with the tracking number:
9214 8901 0661 5400 0152 0737 74.

Item Details

Status:	Delivered, Front Desk/Reception/Mail Room
Status Date / Time:	June 26, 2020, 10:38 am
Location:	AUSTIN, TX 78701
Postal Product:	First-Class Mail®
Extra Services:	Certified Mail™ Return Receipt Electronic
Recipient Name:	TRAVISANO CONSTRUCTION LLC

Recipient Signature

Signature of Recipient:	C-19 Joshua Brown
Address of Recipient:	701 Brazos 720

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,
United States Postal Service®
475 L'Enfant Plaza SW
Washington, D.C. 20260-0004

The customer reference information shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Reference ID: 92148901066154000152073774
DC20-08491/TJ
TRAVISANO CONSTRUCTION LLC
BY AND THROUGH ITS REGISTERED AGENT BUSINESS FILINGS
INCORPORATED
701 Brazos St Ste 720
Austin, TX 78701-2556

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

**To: ELITE AIR LLC
BY AND THROUGH ITS ATTORNEY JON HILL
SILBERMAN LAW FIRM PLLC
2060 NORTH LOOP WEST SUITE 220
HOUSTON TX 77018**

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the **191st District Court** at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **MICHAEL SCOTT**

Filed in said Court **19th day of June, 2020** against

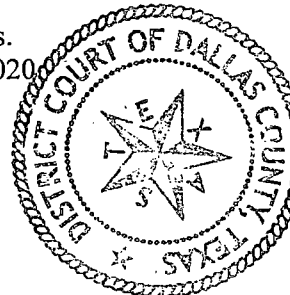
**AMAZON, AMAZON.COM, AMAZON INC., AMAZON FLEX, AMAZON KYDC FLEX,
AMAZON.COM.KYDC LLC, AMAZON.COM SERVICES INC., AMAZON.COM SERVICES
LLC, ELITE AIR LLC, TRAVISANO CONSTRUCTION LLC**

For Suit, said suit being numbered **DC-20-08491**, the nature of which demand is as follows:
Suit on **OTHER PERSONAL INJURY** etc. as shown on said petition **REQUEST FOR
DISCLOSURES**, a copy of which accompanies this citation. If this citation is not served, it shall be
returned unexecuted.

WITNESS: FELICIA PITRE, Clerk of the District Courts of Dallas, County Texas.
Given under my hand and the Seal of said Court at office this 23rd day of June, 2020

ATTEST: FELICIA PITRE, Clerk of the District Courts of Dallas, County, Texas

By _____, Deputy
TERESA JONES



CERTIFIED MAIL

CITATION

DC-20-08491

MICHAEL SCOTT

vs.

AMAZON, et al

**ISSUED THIS
23rd day of June, 2020**

**FELICIA PITRE
Clerk District Courts,
Dallas County, Texas**

By: TERESA JONES, Deputy

**Attorney for Plaintiff
WM RANDELL JOHNSON
LAW OFFICE OF WM RANDELL
JOHNSON
P O BOX 260080
PLANO TX 75026
972-769-7200**

DALLAS COUNTY CONSTABLE
FEES PAID **FEES NOT PAID**

FILED

20 JUN 29 AM 8:19

OFFICER'S RETURN

FELICIA PITRE
DISTRICT CLERK
DALLAS CO., TEXAS
DEPUTY

Case No. : DC-20-08491

Court No. 191st District Court

Style: MICHAEL SCOTT

vs.

AMAZON, et al

Came to hand on the 23 day of June, 20 20, at 10 o'clock a.M. Executed at 2060 N Loop

within the County of _____ at 12:29 o'clock p.M. on the 26 day of June

20 20, by cert mail delivering to the within named Elite AR LLC through attorney Jon Hill

via US cert mail return receipt received and attached
hereto and signed by signature not readable

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, was mailed US cert mail return receipt
having first endorsed on same date of delivery. The distance actually traveled by Request
me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation \$ 76

For mileage \$ _____

For Notary \$ _____

of _____ County,

By [Signature] Deputy

FELICIA PITRE
DISTRICT CLERK
600 COMMERCE STREET
DALLAS, TEXAS 75202-4606

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20 _____

to certify which witness my hand and seal of office.

Notary Public _____ County _____

9214 8901 0661 5400 0152 0736 68



June 26, 2020



Dear MAIL MAIL:

The following is in response to your request for proof of delivery on your item with the tracking number:
9214 8901 0661 5400 0152 0736 68.

Item Details

Status:	Delivered, Left with Individual
Status Date / Time:	June 26, 2020, 12:29 pm
Location:	HOUSTON, TX 77018
Postal Product:	First-Class Mail®
Extra Services:	Certified Mail™ Return Receipt Electronic
Recipient Name:	ELITE AIR LLC

Recipient Signature

Signature of Recipient:	
Address of Recipient:	

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,
United States Postal Service®
475 L'Enfant Plaza SW
Washington, D.C. 20260-0004

The customer reference information shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Reference ID: 92148901066154000152073668
DC20-08491/TJ
ELITE AIR LLC
BY AND THROUGH ITS ATTORNEY JON HILL
Silberman Law Firm PLLC
2060 North Loop W Ste 220
Houston, TX 77018-8147

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

To: **AMAZON.COM SERVICES LLC**
BY AND THROUGH ITS REGISTERED AGENT FOR SERVICE CORPORATION
SERVICE COMPANY DBA CSC – LAWYERS INCORPORATING SERVICE COMPANY
211 E 7TH ST SUITE 620
AUSTIN TX 78701-3218 USA

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the **191st District Court** at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **MICHAEL SCOTT**

Filed in said Court **19th day of June, 2020** against

**AMAZON, AMAZON.COM, AMAZON INC., AMAZON FLEX, AMAZON KYDC FLEX,
AMAZON.COM.KYDC LLC, AMAZON.COM SERVICES INC., AMAZON.COM SERVICES
LLC, ELITE AIR LLC, TRAVISANO CONSTRUCTION LLC**

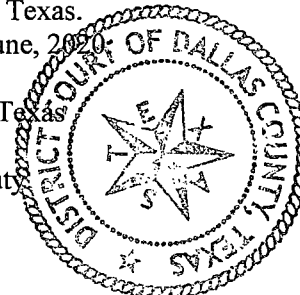
For Suit, said suit being numbered **DC-20-08491**, the nature of which demand is as follows:
Suit on **OTHER PERSONAL INJURY** etc. as shown on said petition **REQUEST FOR
DISCLOSURES**, a copy of which accompanies this citation. If this citation is not served, it shall be
returned unexecuted.

WITNESS: **FELICIA PITRE**, Clerk of the District Courts of Dallas, County Texas.

Given under my hand and the Seal of said Court at office this **23rd day of June, 2020**.

ATTEST: **FELICIA PITRE**, Clerk of the District Courts of Dallas, County, Texas

By TERESA JONES, Deputy



CERTIFIED MAIL

CITATION

DC-20-08491

MICHAEL SCOTT

vs.

AMAZON, et al

**ISSUED THIS
23rd day of June, 2020**

FELICIA PITRE
Clerk District Courts,
Dallas County, Texas

By: **TERESA JONES**, Deputy

Attorney for Plaintiff
WM RANDELL JOHNSON
LAW OFFICE OF WM RANDELL
JOHNSON
P O BOX 260080
PLANO TX 75026
972-769-7200

DALLAS COUNTY CONSTABLE

**FEES
PAID**

**FEES NOT
PAID**

FILED

20 JUN 29 AM 8:19

FELICIA PITRE
DISTRICT CLERK
DALLAS CO., TEXAS
DEPUTY

OFFICER'S RETURN

Case No. : DC-20-08491

Court No. 191st District Court

Style: MICHAEL SCOTT

vs.

AMAZON, et al

Came to hand on the 23 day of June, 20 20, at 10 o'clock a.M. Executed at 211 E 7th St

within the County of _____ at 6:44 o'clock a.M. on the 26 day of June

20 20 by cert mail delivering to the within named Amazon.com Services LLC by serving its registered agent service corporation service company dba CSC lawyers in corporation service company via US cert mail return receipt received and attached hereto and signed by Kevin Gonzales was mailed US cert mail return receipt

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by request me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation

\$ 76

For mileage

\$ _____

For Notary

\$ _____

of _____ County,

By _____

Deputy

(Must be verified if served outside the State of Texas)

Signed and sworn to by the said _____ before me this _____ day of _____, 20 _____,

to certify which witness my hand and seal of office.

FELICIA PITRE
DISTRICT CLERK
600 COMMERCE STREET
DALLAS, TEXAS 75202-4606

Notary Public _____ County _____

9214 8901 0661 5400 0152 0734 91



June 26, 2020

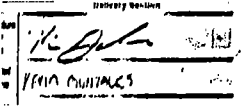

Dear MAIL MAIL:

The following is in response to your request for proof of delivery on your item with the tracking number:
9214 8901 0661 5400 0152 0734 91.

Item Details

Status:	Delivered, Individual Picked Up at Postal Facility
Status Date / Time:	June 26, 2020, 6:44 am
Location:	AUSTIN, TX 78760
Postal Product:	First-Class Mail®
Extra Services:	Certified Mail™ Return Receipt Electronic
Recipient Name:	AMAZON COM SERVICES LLC

Recipient Signature

Signature of Recipient:	
Address of Recipient:	

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,
United States Postal Service®
475 L'Enfant Plaza SW
Washington, D.C. 20260-0004

The customer reference information shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Reference ID: 92148901066154000152073491
DC20-08491/TJ
AMAZON.COM SERVICES LLC
BY AND THROUGH ITS REGISTERED AGENT CORPORATION
SERVICE COMPANY
Db a Csc-Lawyers Incorporating Service Company
211 E 7th St Ste 620
Austin, TX 78701-3218

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

To: AMAZON.COM SERVICES INC
BY AND THROUGH ITS REGISTERED AGENT FOR SERVICE CORPORATION
SERVICE COMPANY DBA CSC – LAWYERS INCORPORATING SERVICE COMPANY
211 E 7TH ST SUITE 620
AUSTIN TX 78701-3218 USA

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the **191st District Court** at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **MICHAEL SCOTT**

Filed in said Court **19th day of June, 2020** against

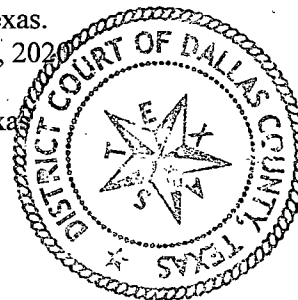
**AMAZON, AMAZON.COM, AMAZON INC., AMAZON FLEX, AMAZON KYDC FLEX,
AMAZON.COM.KYDC LLC, AMAZON.COM SERVICES INC., AMAZON.COM SERVICES
LLC, ELITE AIR LLC, TRAVISANO CONSTRUCTION LLC**

For Suit, said suit being numbered **DC-20-08491**, the nature of which demand is as follows:
Suit on **OTHER PERSONAL INJURY** etc. as shown on said petition **REQUEST FOR
DISCLOSURES**, a copy of which accompanies this citation. If this citation is not served, it shall be
returned unexecuted.

WITNESS: FELICIA PITRE, Clerk of the District Courts of Dallas, County Texas.
Given under my hand and the Seal of said Court at office this 23rd day of June, 2020

ATTEST: FELICIA PITRE, Clerk of the District Courts of Dallas, County, Texas

By _____, Deputy
TERESA JONES



CERTIFIED MAIL

CITATION

DC-20-08491

MICHAEL SCOTT

vs.

AMAZON, et al

**ISSUED THIS
23rd day of June, 2020**

**FELICIA PITRE
Clerk District Courts,
Dallas County, Texas**

By: TERESA JONES, Deputy

**Attorney for Plaintiff
WM RANDELL JOHNSON
LAW OFFICE OF WM RANDELL
JOHNSON
P O BOX 260080
PLANO TX 75026
972-769-7200**

DALLAS COUNTY CONSTABLE
FEES PAID **FEES NOT PAID**

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

To: **AMAZON.COM.KYDC LLC**
BY AND THROUGH ITS REGISTERED AGENT FOR SERVICE CORPORATION
SERVICE COMPANY DBA CSC – LAWYERS INCORPORATING SERVICE COMPANY
211 E 7TH ST SUITE 620
AUSTIN TX 78701-3218 USA

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the **191st District Court** at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **MICHAEL SCOTT**

Filed in said Court **19th day of June, 2020** against

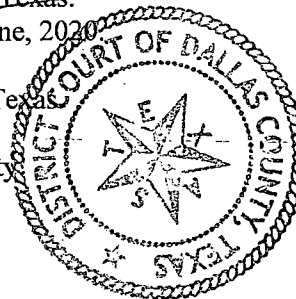
**AMAZON, AMAZON.COM, AMAZON INC., AMAZON FLEX, AMAZON KYDC FLEX,
AMAZON.COM.KYDC LLC, AMAZON.COM SERVICES INC., AMAZON.COM SERVICES
LLC, ELITE AIR LLC, TRAVISANO CONSTRUCTION LLC**

For Suit, said suit being numbered **DC-20-08491**, the nature of which demand is as follows:
Suit on **OTHER PERSONAL INJURY** etc. as shown on said petition **REQUEST FOR
DISCLOSURES**, a copy of which accompanies this citation. If this citation is not served, it shall be
returned unexecuted.

WITNESS: FELICIA PITRE, Clerk of the District Courts of Dallas, County Texas.
Given under my hand and the Seal of said Court at office this 23rd day of June, 2020

ATTEST: FELICIA PITRE, Clerk of the District Courts of Dallas, County, Texas

By TERESA JONES, Deputy



CERTIFIED MAIL

CITATION

DC-20-08491

MICHAEL SCOTT

vs.

AMAZON, et al

**ISSUED THIS
23rd day of June, 2020**

FELICIA PITRE
Clerk District Courts,
Dallas County, Texas

By: **TERESA JONES**, Deputy

Attorney for Plaintiff
WM RANDELL JOHNSON
LAW OFFICE OF WM RANDELL
JOHNSON
P O BOX 260080
PLANO TX 75026
972-769-7200

DALLAS COUNTY CONSTABLE
FEES PAID **FEES NOT PAID**

FILED

20 JUN 29 AM 8:19

FELICIA PITRE
DISTRICT CLERK
DALLAS, TEXAS
DEPUTY

OFFICER'S RETURN

Case No. : DC-20-08491

Court No. 191st District Court

Style: MICHAEL SCOTT

vs.

AMAZON, et al

Came to hand on the 23 day of June, 20 20, at 10 o'clock a.M. Executed at 211 E 7th St
within the County of _____ at 6:44 o'clock a.M. on the 26 day of June
20 20, by cert mail delivering to the within named Amazon.com, KYDC LLC by serving registered agent Service
Corporation service Company via US cert mail return receipt
received and attached hereto and signed by Kevin ~~Cummings~~ Gonzales
was mailed US cert mail return receipt
each, in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by
me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation

\$ 76

For mileage

\$ _____

For Notary

\$ _____

of _____

County, _____

By _____

Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20 _____,

to certify which witness my hand and seal of office.

FELICIA PITRE
DISTRICT CLERK
600 COMMERCE STREET
DALLAS, TEXAS 75202-4606

Notary Public _____ County _____

9214 8901 0661 5400 01520733 78



June 26, 2020

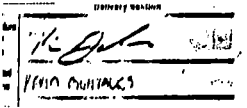

Dear MAIL MAIL:

The following is in response to your request for proof of delivery on your item with the tracking number:
9214 8901 0661 5400 0152 0733 78.

Item Details

Status:	Delivered, Individual Picked Up at Postal Facility
Status Date / Time:	June 26, 2020, 6:44 am
Location:	AUSTIN, TX 78760
Postal Product:	First-Class Mail®
Extra Services:	Certified Mail™ Return Receipt Electronic
Recipient Name:	AMAZON COM KYDC LLC

Recipient Signature

Signature of Recipient:	
Address of Recipient:	

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,
United States Postal Service®
475 L'Enfant Plaza SW
Washington, D.C. 20260-0004

The customer reference information shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Reference ID: 92148901066154000152073378
DC20-08491/TJ
AMAZON.COM.KYDC LLC
BY AND THROUGH ITS REGISTERED AGENT CORPORATION
SERVICE COMPANY
Dbc Csc-Lawyers Incorporating Service Company
211 E 7th St Ste 620
Austin, TX 78701-3218

FILED

20 JUN 29 AM 8:19

OFFICER'S RETURN

FELICIA PITRE
DISTRICT CLERK
DALLAS CO., TEXAS
[Signature]
DEPUTY

Case No. : DC-20-08491

Court No. 191st District Court

Style: MICHAEL SCOTT

vs.

AMAZON, et al

Came to hand on the 2 day of June, 2020, at 10 o'clock a.M. Executed at 211 ETH St
within the County of _____ at 6:44 o'clock a.M. on the 26 day of June
2020, by cert mail delivering to the within named Amazon. Com Services Inc by serving registered agent service
Corporation service company dba CSC lawyers incorporation service company via us cert mail
return receipt received and attached hereto and signed by Kevin Cummings Gonzales
was mailed us cert mail return receipt request
each, in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by
me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation \$ 76

For mileage \$ _____

For Notary \$ _____

of _____ County, _____

By *[Signature]* Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20 _____,

to certify which witness my hand and seal of office.

FELICIA PITRE
DISTRICT CLERK
600 COMMERCE STREET
DALLAS, TEXAS 75202-4606

Notary Public _____ County _____

9214 8901 0601 5400 0152 073422



June 26, 2020

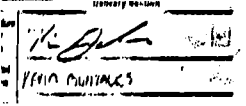

Dear MAIL MAIL:

The following is in response to your request for proof of delivery on your item with the tracking number:
9214 8901 0661 5400 0152 0734 22.

Item Details

Status:	Delivered, Individual Picked Up at Postal Facility
Status Date / Time:	June 26, 2020, 6:44 am
Location:	AUSTIN, TX 78760
Postal Product:	First-Class Mail®
Extra Services:	Certified Mail™ Return Receipt Electronic
Recipient Name:	AMAZON COM SERVICES INC

Recipient Signature

Signature of Recipient:	
Address of Recipient:	

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,
United States Postal Service®
475 L'Enfant Plaza SW
Washington, D.C. 20260-0004

The customer reference information shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Reference ID: 92148901066154000152073422
DC20-08491/TJ
AMAZON.COM SERVICES INC
BY AND THROUGH ITS REGISTERED AGENT CORPORATION
SERVICE COMPANY
Dbc Csc-Lawyers Incorporating Service Company
211 E 7th St Ste 620
Austin, TX 78701-3218

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

**To: AMAZON INC.
BY AND THROUGH THEIR MANAGER/DISTRIBUTION CENTER
12401 N. STEMMONS FREEWAY SUITE 100
FARMERS BRANCH TX 00000**

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the **191st District Court** at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **MICHAEL SCOTT**

Filed in said Court **19th day of June, 2020** against

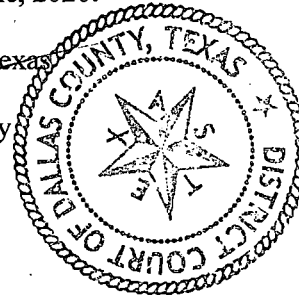
**AMAZON, AMAZON.COM, AMAZON INC., AMAZON FLEX, AMAZON KYDC FLEX,
AMAZON.COM.KYDC LLC, AMAZON.COM SERVICES INC., AMAZON.COM SERVICES
LLC, ELITE AIR LLC, TRAVISANO CONSTRUCTION LLC**

For Suit, said suit being numbered **DC-20-08491**, the nature of which demand is as follows:
Suit on **OTHER PERSONAL INJURY** etc. as shown on said petition **REQUEST FOR
DISCLOSURES**, a copy of which accompanies this citation. If this citation is not served, it shall be
returned unexecuted.

WITNESS: FELICIA PITRE, Clerk of the District Courts of Dallas, County Texas.
Given under my hand and the Seal of said Court at office this 22nd day of June, 2020.

ATTEST: FELICIA PITRE, Clerk of the District Courts of Dallas, County, Texas

By _____, Deputy
TERESA JONES



CERTIFIED MAIL

CITATION

DC-20-08491

MICHAEL SCOTT

vs.

AMAZON, et al

**ISSUED THIS
22nd day of June, 2020**

**FELICIA PITRE
Clerk District Courts,
Dallas County, Texas**

By: TERESA JONES, Deputy

**Attorney for Plaintiff
WM RANDELL JOHNSON
LAW OFFICE OF WM RANDELL
JOHNSON
P O BOX 260080
PLANO TX 75026
972-769-7200**

DALLAS COUNTY CONSTABLE
FEES PAID **FEES NOT PAID**

FILED

20 JUN 29 AM 8:20

OFFICER'S RETURN

FELICIA PITRE
DISTRICT CLERK
DALLAS COUNTY, TEXAS
DEPUTY

Case No. : DC-20-08491

Court No. 191st District Court

Style: MICHAEL SCOTT

vs.

AMAZON, et al

Came to hand on the 22 day of June, 20 20, at 10 o'clock a.M. Executed at 12401 N Stemmons
within the County of _____ at 1:11 o'clock P.M. on the 25 day of June
20 20, by Cert mail delivering to the within named Amazon Inc. by serving manager/distribution center
via uscert mail return receipt received and attached hereto
and signed by R.C

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, was mailed uscert mail return receipt
having first endorsed on same date of delivery. The distance actually traveled by request
me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation \$ 76

For mileage \$ _____

For Notary \$ _____

of _____ County, _____

By Fy Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20 _____,

to certify which witness my hand and seal of office.

FELICIA PITRE
DISTRICT CLERK
600 COMMERCE STREET
DALLAS, TEXAS 75202-4606

Notary Public _____ County _____

9214 8901 0661 5400 0152 0655 71



UNITED STATES
POSTAL SERVICE™

Date Produced: 06/26/2020

THE MAIL GROUP INC - 1 / CONFIRM DELIVERY INC:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 0661 5400 0152 0655 71. Our records indicate that this item was delivered on 06/25/2020 at 01:11 p.m. in DALLAS, TX 75234. The scanned image of the recipient information is provided below.

Signature of Recipient :
(Authorized Agent)

RC, COVID 19
RC, COVID 19

Address of Recipient :

100
2401 N. STEMMONS

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

The customer reference information shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Reference ID: 92148901066154000152065571
DC20-08491/TJ
AMAZON INC.
BY AND THROUGH THEIR MANAGER/DISTRIBUTION CENTER
12401 N Stemmons Fwy Ste 100
Farmers Branch, TX 75234-5822

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

**To: AMAZON
BY AND THROUGH THEIR MANAGER/DISTRIBUTION CENTER
12401 N. STEMMONS FREEWAY SUITE 100
FARMERS BRANCH TX 00000**

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the **191st District Court** at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **MICHAEL SCOTT**

Filed in said Court **19th day of June, 2020** against

**AMAZON, AMAZON.COM, AMAZON INC., AMAZON FLEX, AMAZON KYDC FLEX,
AMAZON.COM.KYDC LLC, AMAZON.COM SERVICES INC., AMAZON.COM SERVICES
LLC, ELITE AIR LLC, TRAVISANO CONSTRUCTION LLC**

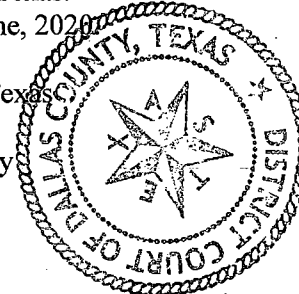
For Suit, said suit being numbered **DC-20-08491**, the nature of which demand is as follows:
Suit on **OTHER PERSONAL INJURY** etc. as shown on said petition **REQUEST FOR
DISCLOSURES**, a copy of which accompanies this citation. If this citation is not served, it shall be
returned unexecuted.

WITNESS: FELICIA PITRE, Clerk of the District Courts of Dallas, County Texas.

Given under my hand and the Seal of said Court at office this 22nd day of June, 2020.

ATTEST: FELICIA PITRE, Clerk of the District Courts of Dallas, County, Texas

By _____, Deputy
TERESA JONES



CERTIFIED MAIL

CITATION

DC-20-08491

**MICHAEL SCOTT
vs.
AMAZON, et al**

**ISSUED THIS
22nd day of June, 2020**

**FELICIA PITRE
Clerk District Courts,
Dallas County, Texas**

By: TERESA JONES, Deputy

**Attorney for Plaintiff
WM RANDELL JOHNSON
LAW OFFICE OF WM RANDELL
JOHNSON
P O BOX 260080
PLANO TX 75026
972-769-7200**

**DALLAS COUNTY CONSTABLE
FEES PAID FEES NOT PAID**

FILED

20 JUL -1 AM 8:02

FELICIA PITRE
DISTRICT CLERK
DALLAS CO., TEXAS
DEPUTY

OFFICER'S RETURN

Case No. : DC-20-08491

Court No. 191st District Court

Style: MICHAEL SCOTT

vs.

AMAZON, et al

Came to hand on the 22 day of June, 20 20, at 10 o'clock A.M. Executed at 12401 N. Stemmons

within the County of _____ at 2:23 o'clock P.M. on the 29 day of June

20 20, by ^{cert mail} delivering to the within named Amazon by serving their manager/distribution

center via US cert mail return receipt received and

attached hereto and signed by R.C

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, ^{was mailed US cert mail return receipt} having first endorsed on same date of delivery. The distance actually traveled by (quest)

me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation \$ 76

For mileage \$ _____

For Notary \$ _____

of _____ County, _____

By [Signature] Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20 _____,

to certify which witness my hand and seal of office.

FELICIA PITRE
DISTRICT CLERK
600 COMMERCE STREET
DALLAS, TEXAS 75202-4606

Notary Public _____ County _____

9214 8901 0661 5400 0152 0654 89



June 30, 2020

Dear MAIL MAIL:

The following is in response to your request for proof of delivery on your item with the tracking number:
9214 8901 0661 5400 0152 0654 89.

Item Details

Status:	Delivered to Agent for Final Delivery
Status Date / Time:	June 29, 2020, 2:23 pm
Location:	DALLAS, TX 75234
Postal Product:	First-Class Mail®
Extra Services:	Certified Mail™
	Return Receipt Electronic
Recipient Name:	AMAZON

Recipient Signature

Signature of Recipient: (Authorized Agent)	RC, COVID 19 RC, COVID 19
Address of Recipient:	12401 N Stemmons Fwy Ste 100 Farmers Branch, TX 75234-5822

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,
 United States Postal Service®
 475 L'Enfant Plaza SW
 Washington, D.C. 20260-0004

The customer reference information shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Reference ID: 92148901066154000152065489
 DC20-08491/TJ
 AMAZON
 BY AND THROUGH THEIR MANAGER/DISTRIBUTION CENTER
 12401 N Stemmons Fwy Ste 100
 Farmers Branch, TX 75234-5822

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

To: **AMAZON.COM**
BY AND THROUGH THEIR MANAGER/DISTRIBUTION CENTER
12401 N. STEMMONS FREEWAY SUITE 100
FARMERS BRANCH TX 00000

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the **191st District Court** at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **MICHAEL SCOTT**

Filed in said Court **19th day of June, 2020** against

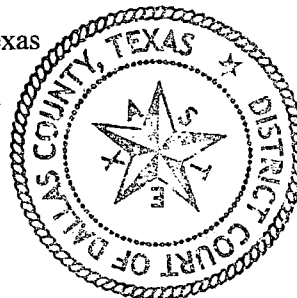
**AMAZON, AMAZON.COM, AMAZON INC., AMAZON FLEX, AMAZON KYDC FLEX,
AMAZON.COM.KYDC LLC, AMAZON.COM SERVICES INC., AMAZON.COM SERVICES
LLC, ELITE AIR LLC, TRAVISANO CONSTRUCTION LLC**

For Suit, said suit being numbered **DC-20-08491**, the nature of which demand is as follows:
Suit on **OTHER PERSONAL INJURY** etc. as shown on said petition **REQUEST FOR
DISCLOSURES**, a copy of which accompanies this citation. If this citation is not served, it shall be
returned unexecuted.

WITNESS: FELICIA PITRE, Clerk of the District Courts of Dallas, County Texas.
Given under my hand and the Seal of said Court at office this **22nd day of June, 2020**.

ATTEST: FELICIA PITRE, Clerk of the District Courts of Dallas, County, Texas

By _____, Deputy
TERESA JONES



CERTIFIED MAIL

CITATION

DC-20-08491

**MICHAEL SCOTT
vs.
AMAZON, et al**

**ISSUED THIS
22nd day of June, 2020**

**FELICIA PITRE
Clerk District Courts,
Dallas County, Texas**

By: TERESA JONES, Deputy

**Attorney for Plaintiff
WM RANDELL JOHNSON
LAW OFFICE OF WM RANDELL
JOHNSON
P O BOX 260080
PLANO TX 75026
972-769-7200**

DALLAS COUNTY CONSTABLE

**FEES
PAID**

**FEES NOT
PAID**

FILED

20 JUL -1 AM 8:02

OFFICER'S RETURN

FELICIA PITRE
DISTRICT CLERK
DALLAS CO., TEXAS
[Signature] DEPUTY

Case No. : DC-20-08491

Court No. 191st District Court

Style: MICHAEL SCOTT

vs.

AMAZON, et al

Came to hand on the 22 day of June, 20 20, at 10 o'clock A.M. Executed at 12401 W. Stemmons
within the County of _____ at 2:23 o'clock P.M. on the 29 day of June

20 20, by ^{cert mail} ~~delivering~~ to the within named Amazon.com by sending their manager/
distribution Center via US cert mail return receipt received and
attached hereto and signed by R.C

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, ^{was mailed US cert mail return receipt} ~~having first endorsed on same date of delivery.~~ The distance actually traveled by request
me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation

\$ 76

For mileage

\$ _____

For Notary

\$ _____

of _____ County, _____

By *[Signature]* Deputy

(Must be verified if served outside the State of Texas.)

FELICIA PITRE
DISTRICT CLERK
600 COMMERCE STREET
DALLAS, TEXAS 75202-4606

Signed and sworn to by the said _____ before me this _____ day of _____, 20 _____,

to certify which witness my hand and seal of office.

Notary Public _____ County _____

9214 8901 0661 5400 0152 065540



June 30, 2020

Dear MAIL MAIL:

The following is in response to your request for proof of delivery on your item with the tracking number:
9214 8901 0661 5400 0152 0655 40.

Item Details

Status:	Delivered to Agent for Final Delivery
Status Date / Time:	June 29, 2020, 2:23 pm
Location:	DALLAS, TX 75234
Postal Product:	First-Class Mail®
Extra Services:	Certified Mail™ Return Receipt Electronic
Recipient Name:	AMAZON COM

Recipient Signature

Signature of Recipient: (Authorized Agent)	RC, COVID 19 RC, COVID 19
Address of Recipient:	12401 N. STEMMONS #401

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,
 United States Postal Service®
 475 L'Enfant Plaza SW
 Washington, D.C. 20260-0004

The customer reference information shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Reference ID: 92148901066154000152065540
 DC20-08491/TJ
 AMAZON.COM
 BY AND THROUGH THEIR MANAGER/DISTRIBUTION CENTER
 12401 N Stemmons Fwy Ste 100
 Farmers Branch, TX 75234-5822

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

**To: AMAZON FLEX
BY AND THROUGH THEIR MANAGER/DISTRIBUTION CENTER
12401 N. STEMMONS FREEWAY SUITE 100
FARMERS BRANCH TX 00000**

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the **191st District Court** at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **MICHAEL SCOTT**

Filed in said Court **19th day of June, 2020** against

**AMAZON, AMAZON.COM, AMAZON INC., AMAZON FLEX, AMAZON KYDC FLEX,
AMAZON.COM.KYDC LLC, AMAZON.COM SERVICES INC., AMAZON.COM SERVICES
LLC, ELITE AIR LLC, TRAVISANO CONSTRUCTION LLC**

For Suit, said suit being numbered **DC-20-08491**, the nature of which demand is as follows:
Suit on **OTHER PERSONAL INJURY** etc. as shown on said petition **REQUEST FOR
DISCLOSURES**, a copy of which accompanies this citation. If this citation is not served, it shall be
returned unexecuted.

WITNESS: FELICIA PITRE, Clerk of the District Courts of Dallas, County Texas.
Given under my hand and the Seal of said Court at office this 22nd day of June, 2020.

ATTEST: FELICIA PITRE, Clerk of the District Courts of Dallas, County, Texas

By TERESA JONES, Deputy



CERTIFIED MAIL

CITATION

DC-20-08491

**MICHAEL SCOTT
vs.
AMAZON, et al**

**ISSUED THIS
22nd day of June, 2020**

**FELICIA PITRE
Clerk District Courts,
Dallas County, Texas**

By: TERESA JONES, Deputy

**Attorney for Plaintiff
WM RANDELL JOHNSON
LAW OFFICE OF WM RANDELL
JOHNSON
P O BOX 260080
PLANO TX 75026
972-769-7200**

**DALLAS COUNTY CONSTABLE
FEES NOT PAID
FEES NOT PAID**

FILED

20 JUL -1 AM 8:02

OFFICER'S RETURN

FELICIA PITRE
DISTRICT CLERK
DALLAS CO., TEXAS

DEPUTY

Case No. : DC-20-08491

Court No. 191st District Court

Style: MICHAEL, SCOTT

vs.

AMAZON, et al

Came to hand on the 22 day of June, 20 20, at 10 o'clock am. Executed at 12401 N Stemmons
within the County of _____ at 2:23 o'clock p.M. on the 29 day of June
20 20, by cert mail delivering to the within named Amazon Flex by serving their manager/distribution Center
Via US cert mail return receipt received and attached
hereto and signed by R.C

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, was mailed US cert mail return receipt
me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand. Request

For serving Citation \$ 76

For mileage \$ _____

For Notary \$ _____

of _____ County, _____

By [Signature] Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20 _____,

to certify which witness my hand and seal of office.

FELICIA PITRE
DISTRICT CLERK
600 COMMERCE STREET
DALLAS, TEXAS 75202-4606

Notary Public _____ County _____

9214 8901 0661 5400 0152 065632



June 30, 2020

Dear MAIL MAIL:

The following is in response to your request for proof of delivery on your item with the tracking number:
9214 8901 0661 5400 0152 0656 32.

Item Details

Status:	Delivered to Agent for Final Delivery
Status Date / Time:	June 29, 2020, 2:23 pm
Location:	DALLAS, TX 75234
Postal Product:	First-Class Mail®
Extra Services:	Certified Mail™
	Return Receipt Electronic
Recipient Name:	AMAZON FLEX

Recipient Signature

Signature of Recipient: (Authorized Agent)	RC, COVID 19 RC, COVID 19
Address of Recipient:	12401 N Stemmons Fwy Ste 100 Farmers Branch, TX 75234-5822

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,
United States Postal Service®
475 L'Enfant Plaza SW
Washington, D.C. 20260-0004

The customer reference information shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Reference ID: 92148901066154000152065632
DC20-08491/TJ
AMAZON FLEX
BY AND THROUGH THEIR MANAGER/DISTRIBUTION CENTER
12401 N Stemmons Fwy Ste 100
Farmers Branch, TX 75234-5822

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

To: **AMAZON KYDC FLEX
BY AND THROUGH THEIR MANAGER/DISTRIBUTION CENTER
12401 N. STEMMONS FREEWAY SUITE 100
FARMERS BRANCH TX 00000**

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the **191st District Court** at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **MICHAEL SCOTT**

Filed in said Court **19th day of June, 2020** against

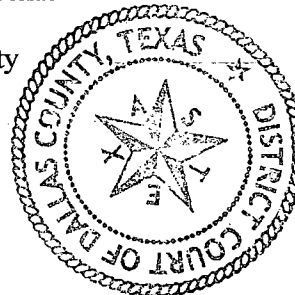
**AMAZON, AMAZON.COM, AMAZON INC., AMAZON FLEX, AMAZON KYDC FLEX,
AMAZON.COM.KYDC LLC, AMAZON.COM SERVICES INC., AMAZON.COM SERVICES
LLC, ELITE AIR LLC, TRAVISANO CONSTRUCTION LLC**

For Suit, said suit being numbered **DC-20-08491**, the nature of which demand is as follows:
Suit on **OTHER PERSONAL INJURY** etc. as shown on said petition **REQUEST FOR
DISCLOSURES**, a copy of which accompanies this citation. If this citation is not served, it shall be
returned unexecuted.

WITNESS: **FELICIA PITRE**, Clerk of the District Courts of Dallas, County Texas.
Given under my hand and the Seal of said Court at office this 22nd day of June, 2020.

ATTEST: **FELICIA PITRE**, Clerk of the District Courts of Dallas, County, Texas

By _____, Deputy
TERESA JONES



CERTIFIED MAIL

CITATION

DC-20-08491

**MICHAEL SCOTT
vs.
AMAZON, et al**

**ISSUED THIS
22nd day of June, 2020**

**FELICIA PITRE
Clerk District Courts,
Dallas County, Texas**

By: **TERESA JONES**, Deputy

**Attorney for Plaintiff
WM RANDELL JOHNSON
LAW OFFICE OF WM RANDELL
JOHNSON
P O BOX 260080
PLANO TX 75026
972-769-7200**

**DALLAS COUNTY CONSTABLE
FEES PAID
FEES NOT PAID**

FILED

20 JUL -1 AM 8:03

FELICIA PITRE
DISTRICT CLERK
DALLAS CO., TEXAS
DEPUTY

OFFICER'S RETURN

Case No. : DC-20-08491

Court No. 191st District Court

Style: MICHAEL SCOTT

vs.

AMAZON, et al

Came to hand on the 22 day of June, 20 20, at 10 o'clock a.M. Executed at 12401 N. Stemmons
within the County of _____ at 2:23 o'clock p.M. on the 29 day of June
20 20, by cert mail delivering to the within named Amazon Kx dc flex by serving their manager/distribution
center via US cert mail return receipt received and attached
hereto and signed by R.C

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, was mailed US cert mail return receipt
having first endorsed on same date of delivery. The distance actually traveled by Request
me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation

\$ 76

For mileage

\$ _____

For Notary

\$ _____

of _____ County, _____

By _____

Deputy

FELICIA PITRE
DISTRICT CLERK
600 COMMERCE STREET
DALLAS, TEXAS 75202-4606

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20 _____,

to certify which witness my hand and seal of office.

Notary Public _____ County _____

9214 8901 0661 5400 0152 065748



June 30, 2020

Dear MAIL MAIL:

The following is in response to your request for proof of delivery on your item with the tracking number:
9214 8901 0661 5400 0152 0657 48.

Item Details

Status:	Delivered to Agent for Final Delivery
Status Date / Time:	June 29, 2020, 2:23 pm
Location:	DALLAS, TX 75234
Postal Product:	First-Class Mail®
Extra Services:	Certified Mail™
	Return Receipt Electronic
Recipient Name:	AMAZON KYDC FLEX

Recipient Signature

Signature of Recipient: (Authorized Agent)	RC, COVID 19 RC, COVID 19
Address of Recipient:	12401 N Stemmons Fwy Ste 100 Farmers Branch, TX 75234-5822

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,
 United States Postal Service®
 475 L'Enfant Plaza SW
 Washington, D.C. 20260-0004

The customer reference information shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Reference ID: 92148901066154000152065748
 DC20-08491/TJ
 AMAZON KYDC FLEX
 BY AND THROUGH THEIR MANAGER/DISTRIBUTION CENTER
 12401 N Stemmons Fwy Ste 100
 Farmers Branch, TX 75234-5822

CAUSE NO. DC-20-08491

MICHAEL SCOTT,	§	IN THE DISTRICT COURT OF
	§	
Plaintiff,	§	
	§	
v.	§	191st JUDICIAL DISTRICT
	§	
	§	
AMAZON, AMAZON.COM,	§	
AMAZON, INC., AMAZON FLEX,	§	
AMAZON KYDC FLEX,	§	
AMAZON.COM.KYDC, LLC,	§	
AMAZON.COM SERVICES, INC.,	§	
AMAZON.COM SERVICES, LLC,	§	
ELITE AIR, LLC, and TRAVISANO	§	
CONSTRUCTION, LLC,	§	
	§	
Defendants	§	DALLAS COUNTY, TEXAS

AMAZON’S ANSWER TO PLAINTIFF’S ORIGINAL PETITION

Defendants Amazon, Amazon.com, Amazon, Inc., Amazon Flex, Amazon KYDC Flex¹, Amazon.com.kydc, LLC, Amazon.com Services, Inc.², and Amazon.com Services, LLC³ (collectively, “Amazon”) file this Answer to Plaintiff’s Original Petition, and respectfully would show the Court as follows:

¹ Amazon, Amazon.com, Amazon Flex, and Amazon KYDC Flex are not incorporated entities, but are assumed names that have been or are currently being utilized by Amazon.com Services LLC, or by entities that merged into Amazon.com Services, Inc. and converted into Amazon.com Services, LLC.

² Amazon.com.kydc, LLC merged into Amazon.com Services, Inc. which recently converted to Amazon.com Services, LLC.

³ Of the variously identified Amazon entities, Amazon.com Services, LLC is the only active incorporated entity

I. GENERAL DENIAL

Amazon denies each and every, all and singular, of the material allegations in the Plaintiff's live pleadings and demands strict proof thereof by a preponderance of the credible evidence as is their right under TEXAS RULE OF CIVIL PROCEDURE 92 and the Constitution of the State of Texas.

II. DEFENSES

Without admitting any of the allegations contained in Plaintiff's Original Petition and without admitting or acknowledging that Amazon bears any burden of proof as to any of them, Amazon asserts the affirmative and additional defenses listed below. Amazon intends to rely upon other defenses that become available or apparent during pretrial proceedings and/or discovery in this action, and Amazon hereby reserves the right to amend this Answer to assert any such further defenses:

1. Plaintiff fails to state a claim upon which relief can be granted.
2. Plaintiff was responsible for the incident made the basis of this suit, and such negligent acts and/or omissions solely caused or were a proximate cause of both the incident and the claimed damages, if any. Plaintiff's damages as alleged should be diminished by Plaintiff's percentage of comparative fault, which may exceed the fault of those against whom fault can be assessed. Plaintiff's fault may be greater than 50% of the fault of those against whom fault can be assessed, and Plaintiff may therefore be barred from recovery pursuant to Section 33.001 of the Texas Civil Practices and Remedies Code.

3. No act or omission on the part of Amazon either caused or contributed to whatever injuries or damages Plaintiff may have sustained.

4. Plaintiff's injuries or damages, if any, were caused in whole or in part by the acts or omissions of other persons over whom Amazon had no supervision or control, including but not limited to Plaintiff's employer Garland Heat & Air, Elite Air, LLC, and Travisano Construction, LLC, those acts or omissions being the sole proximate cause or an intervening or superseding cause of any injuries or damages Plaintiff allegedly sustained.

5. Plaintiff's alleged loss, damage, injury, harm, or expense may have been caused in whole or in part by Plaintiff's failure to exercise reasonable care and to mitigate damages.

6. Plaintiff's claims are barred, in whole or in part, because Amazon did not owe any legal duty to Plaintiff, or if Amazon owed any such legal duty, Amazon did not breach that duty.

7. The alleged incident and Plaintiff's alleged damages, all of which are denied, resulted from independent, unforeseeable, intervening, and/or superseding causes.

8. Plaintiff's claims are barred, in whole or in part, by Chapter 95 of the Texas Civil Practice and Remedies Code, because Plaintiff was a contractor, subcontractor, or employee of a contractor or subcontractor, Plaintiff was performing construction, repairs, renovations, or modifications to an improvement to real property at the time of the incident, Amazon did not exercise or retain control over the manner in which the work was performed, and Amazon did not have actual knowledge of the alleged danger or condition and/or did not fail to adequately warn of such danger or condition.

9. Amazon asserts that this action is subject to the proportionate responsibility provisions of Chapter 33 of the Texas Civil Practice and Remedies Code, including (without limitation) the requirement of Section 33.003 that the trier of fact determine the relative responsibility of Plaintiff, each Defendant, any settling person, and any responsible third-parties that may be designated in the suit.

10. Amazon alleges its right to all prohibitions and limitations allowed by law concerning any damages awarded against them, all of which are denied, including without limitation for exemplary damages, as provided by Chapter 41 of the Texas Civil Practice and Remedies Code.

11. Amazon requests all credit and/or offset rights at law by virtue of any settlement entered into, by, or with any party or non-party in connection with or relating to any matter pertaining to the claim or claims asserted in Plaintiff's live pleading.

12. Further, Amazon invokes all rights under law, including but not limited to, the rights set forth in Chapter 32 and Chapter 33 of the Texas Civil Practice and Remedies Code.

13. Amazon asserts that pre-judgment interest, if any, as requested in Plaintiff's pleadings, is limited in accordance with § 304.104 *et seq.* of the Texas Finance Code.

III. SPECIAL EXCEPTION

Amazon excepts to Plaintiff's negligence per se allegation. On page 7 of Plaintiff's Original Petition and Request for Disclosures, Plaintiff alleges that, "Each of the above acts or omissions, singularly or in combination with each other, constituted

negligence, and negligence per se” However, Plaintiff has failed to identify any specific statutory provision on which Plaintiff’s negligence per se allegation is based.

In Texas, an “unexcused violation of a penal statute constitutes negligence as a matter of law if such statute was designed to prevent injuries to a class of persons to which the injured party belongs” and the statute is one for which “it is appropriate to impose tort liability for violations.” *See Murray v. O & A Express, Inc.*, 639 S.W. 2d 633, 636 (Tex. 1982); *Perry v. S.N.*, 973 S.W. 2d 301, 305 (Tex. 1998).

However, “a party relying upon a statutory violation should plead this reliance if he is to recover on that basis.” *See Murray*, 639 S.W. 2d at 636.

Because Plaintiff has failed to identify the statutory provision or provisions on which he relies as basis for his negligence per se allegation, Plaintiff’s pleadings are defective.

IV. PRAYER

WHEREFORE, Amazon prays that upon the final trial hereof Plaintiff takes nothing against Amazon. Further, Amazon asks the Court to enter Judgment that Plaintiff takes nothing, dismissing Plaintiff’s suit with prejudice, assessing costs against Plaintiff, and awarding Amazon all other relief to which it is entitled. Further, Amazon prays as alleged hereinabove that, in the unlikely event that there is any recovery by Plaintiff against them herein, which is denied, Amazon be allowed full benefit of all laws of Texas limiting damages as well any prohibitions and/or limitations allowed under the Texas Constitution and/or United States Constitution.

Amazon further seeks entry of an Order that all costs attributed to Plaintiff's suit be assessed against Plaintiff, and that Amazon be granted all further relief to which they may be justly entitled at law and in equity.

Respectfully Submitted,

THE BASSETT FIRM

/s/ Robert L. McGee, Jr.

MIKE H. BASSETT

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ATTORNEY FOR AMAZON

CERTIFICATE OF SERVICE

I certify that a true copy of this document was forwarded to the following counsel of record on this 14th day of July, 2020, pursuant to the Texas Rules of Civil Procedure and the Federal Rules of Civil Procedure:

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/s/ Robert L. McGee, Jr.

MIKE H. BASSETT
ROBERT L. MCGEE, JR.

Jennifer Graig

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Subject: INCOMING E-FILE: 07.14.20 - Scott v. Amazon - NOS Env#44508350

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Filing Details	
Case Number	DC-20-08491
Case Style	MICHAEL SCOTT vs. AMAZON, et al
Date/Time Submitted	7/14/2020 2:26 PM CST
Filing Type	Answer/Response
Filing Description	Amazon's Answer to Plaintiff's Original Petition
Filed By	Jennifer Graig
Service Contacts	<p>MICHAEL SCOTT:</p> <p>Wm. Randell Johnson (wrlaw@aol.com)</p> <p>Stewart Donovan Matthews (Productslawyer@aol.com)</p> <p>Other Service Contacts not associated with a party on the case:</p>

	The Firm (efile@thebassettfirm.com)
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CAUSE NO. DC-20-08491

MICHAEL SCOTT	§	IN THE DISTRICT COURT
	§	
vs.	§	191 st JUDICIAL DISTRICT
	§	
AMAZON,	§	
AMAZON.COM,	§	
AMAZON, INC.,	§	
AMAZON FLEX,	§	
AMAZON KYDC FLEX,	§	
AMAZON.COM.KYDC, LLC,	§	
AMAZON.COM SERVICES, INC.,	§	
AMAZON.COM SERVICES, LLC,	§	
ELITE AIR, LLC, and	§	
TRAVISANO CONSTRUCTION, LLC	§	DALLAS COUNTY, TEXAS

TRAVISANO CONSTRUCTION, LLC'S ORIGINAL ANSWER

TO THE HONORABLE JUDGE OF THE COURT:

Travisano Construction, LLC, one of the Defendants in the above-styled and numbered cause ("Defendant"), files its Original Answer to Plaintiff's Original Petition, and would show the Court, as follows:

I.

1.01 Defendant denies each and every, all and singular, the material allegations contained in Plaintiff's Petition and demand strict proof thereof.

II.

AFFIRMATIVE DEFENSES

2.01 For further answer, as same may be necessary, by way of affirmative defense, Defendant would show that on the occasion in question, Plaintiff's own intentional, careless and/or reckless acts or omissions resulted in the injuries and damages about which Plaintiff complains.

2.02 For further answer, as same may be necessary, by way of affirmative defense, Defendant would show that the Incident made the basis of this lawsuit (the “Incident”) was caused by the negligence of a third party or third parties over whom Defendant had no control, including but not limited to Plaintiff’s employer Garland Heat & Air, Elite Air, LLC, and Amazon.Com Services, LLC and/or the other named Amazon Defendants, and said negligence was a proximate cause or, in the alternative, was the sole proximate cause of Plaintiff’s alleged damages.

2.03 For further answer, as same may be necessary, by way of affirmative defense, Defendant asserts the defenses as set forth in Chapter 32.001, *et seq.*, and 33.001, *et seq.*, of the Texas Civil Practices & Remedies Code, which may bar any recovery, or in the alternative, reduce the amount of recovery by Plaintiff. Defendant would show that the Incident in question and the damages alleged by the Plaintiff were proximately caused and/or solely caused by the fault or negligence of Plaintiff and/or third party or parties. Defendant would show that in the event it is found liable to Plaintiff, any such liability being expressly denied, Defendant is entitled to a reduction for the negligence, liability, fault or other conduct which is attributable to Plaintiff and/or any other party or third-party.

2.04 For further answer, as same may be necessary, by way of affirmative defense, Defendant would show that under the circumstances it owed no legal duty to Plaintiff.

2.05 For further answer, as same may be necessary, by way of affirmative defense, Defendant would show that in the event it is found liable to Plaintiff, any such liability being expressly denied, Defendant invokes Chapter 32 of the Texas Civil Practice & Remedies Code to provide a right of action to recover payment from other co-defendants deemed liable via contribution and/or indemnity. With respect to any claim for contribution filed by any other

party, Defendant asserts that such contribution claims are barred as Defendant has no liability to Plaintiff.

2.06 For further answer, as same may be necessary, by way of affirmative defense, Defendant asserts the defense of Section 41.0105 of the Texas Civil Practice & Remedies Code limiting the recovery of medical and/or healthcare expenses to the amount actually paid or incurred by or on behalf of Plaintiff, and further similarly limiting the evidence presented to any trier of fact to the amount actually paid or incurred by or on behalf of Plaintiff.

2.07 For further answer, as same may be necessary, by way of affirmative defense, Defendant asserts that pursuant to Section 18.091 of the Texas Civil Practice & Remedies Code, Plaintiff's recovery for lost wages or lost earning capacity is limited to net loss after reduction for income tax payments or unpaid tax liability pursuant to any federal income tax law.

2.08 For further answer, as same may be necessary, by way of affirmative defense, Defendant would show that Plaintiff's claims are barred, in whole or in part, by Chapter 95 of the Texas Civil Practice & Remedies Code, because Plaintiff was a contractor, subcontractor, or employee of a contractor or subcontractor, Plaintiff was performing construction, repairs, renovations, or modifications to an improvement to real property at the time of the Incident, Defendant did not exercise or retain control over the manner in which the work was performed, and Defendant did not have actual knowledge of the alleged danger or condition and/or did not fail to adequately warn of such danger or condition.

2.09 For further answer, as same may be necessary, by way of affirmative defense, Defendant would show that the Incident and Plaintiff's alleged damages, all of which are denied, resulted from independent, unforeseeable, intervening, and/or superseding causes.

III.

Therefore, Defendant respectfully requests that Plaintiff take nothing from Defendant by way of his causes of action, that Defendant recover its court costs, and that it be granted such other and further relief to which it may be justly entitled.

Respectfully submitted,

MATTHEWS, SHIELDS, KNOTT,
EDEN, DAVIS & BEANLAND, L. L.P.

By: *Daniel A. Knott*
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ATTORNEY FOR DEFENDANT
TRAVISANO CONSTRUCTION, LLC

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing has been served on all counsel of record, pursuant to Texas Rules of Civil Procedure 21 and 21(a), and as set forth below, on this 15th day of July, 2020.

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Daniel A. Knott

Daniel A. Knott

EXHIBIT 4

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS**

Plaintiff

v.

Civil Action No.

Defendant

CERTIFICATE OF INTERESTED PERSONS

(This form also satisfies Fed. R. Civ. P. 7.1)

Pursuant to Fed. R. Civ. P. 7.1 and LR 3.1(c), LR 3.2(e), LR 7.4, LR 81.1(a)(4)(D), and LR 81.2,

provides the following information:

For a nongovernmental corporate party, the name(s) of its parent corporation and any publicly held corporation that owns 10% or more of its stock (if none, state "None"):

****Please separate names with a comma. Only text visible within box will print.***

A complete list of all persons, associations of persons, firms, partnerships, corporations, guarantors, insurers, affiliates, parent or subsidiary corporations, or other legal entities that are financially interested in the outcome of the case:

****Please separate names with a comma. Only text visible within box will print.***

Date: _____
Signature: _____
Print Name: _____
Bar Number: _____
Address: _____
City, State, Zip: _____
Telephone: _____
Fax: _____
E-Mail: _____

EXHIBIT 5

CAUSE NO. DC-20-08491

MICHAEL SCOTT,

Plaintiff,

V.

AMAZON, AMAZON.COM,
AMAZON, INC., AMAZON FLEX,
AMAZON KYDC FLEX,
AMAZON.COM.KYDC, LLC,
AMAZON.COM SERVICES, INC.,
AMAZON.COM SERVICES, LLC,
ELITE AIR, LLC, and TRAVISANO
CONSTRUCTION, LLC,

Defendants

IN THE DISTRICT COURT OF

191st JUDICIAL DISTRICT

DALLAS COUNTY, TEXAS

CONSENT TO REMOVAL TO FEDERAL COURT

Pursuant to 28 U.S.C. § 1446(b)(2)(A), Defendant Travisano Construction, LLC hereby consents to removal of the above-styled action to the United States District Court for the Northern District of Texas, Dallas Division, on the basis of diversity jurisdiction.

Respectfully submitted,

Travisano Construction, LLC

By its Attorney,

Dancekitnote

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DATED: July 15, 2020

EXHIBIT 6

